Monday, November 14, 1960
Kartika 23, Agrahayana 4, 1882

LOK SABHA DEBATES

Second Series

Volume XLVII, 1960/1882 (*Saka*)

[*November 14 to 25, 1960/Kartika 23 to Agrahayana 4, 1882* (Saka)]

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LOK SABHA SECRETARIAT
NEW DELHI

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GMGIPND—LS II—1372 (Ai) LSD—3-12-60—901.

LOK SABHA

ALPHABETICAL LIST OF MEMBERS

A

Abdul Latif, Shri (Bijnor).

Abdul Rashid, Bakhshi (Jammu and Kashmir).

Abdul Salam, Shri (Tiruchirapalli).

Abdur Rahman, Maulana (Jammu and Kashmir).

Achal Singh, Seth (Agra).

Achar, Shri K. R. (Mangalore).

Achint Ram, Lala (Patiala).

Agadi, Shri Sangappa Andanappa (Koppal).

Agarwal, Shri Manakbhai (Mandsaur).

Ajit Singh, Shri (Bhatinda—Reserved—Sch. Castes).

Alva, Shri Joachim (Kanara).

Ambalam, Shri P. Subbiah (Ramanathapuram).

Amjad Ali, Shri (Dhubri).

Aney, Dr. M. S. (Nagpur).

Anjanappa, Shri B. (Nellore—Reserved—Sch. Castes).

Anthony, Shri Frank (Nominated—Anglo-Indians).

Arumugam, Shri R. S. (Srivilliputhur—Reserved—Sch. Castes).

Arumugham, Shri S. R. (Namakkal—Reserved—Sch. Castes).

Ashanna, Shri K. (Adilabad).

Assar, Shri Premji R. (Ratnagiri).

Asthana, Shri Lila-Dhar (Unnao).

Atchamamba, Dr. Komaraju (Vijayavada).

Awasthi, Shri Jagdish (Bilhaur).

A—contd.

Ayyakannu, Shri M. (Nagapattinam—Reserved—Sch. Castes).

Ayyangar, Shri M. Ananthasayanam (Chittoor).

B

Babunath Singh, Shri (Sarguja—Reserved—Sch. Castes).

Badan Singh, Ch. (Bisauli).

Bahadur Singh, Shri (Ludhiana—Reserved—Sch. Castes).

Bajaj, Shri Kamalnayan Jamnalal (Wardha).

Bakliwal, Shri Mohanlal (Durg).

Balakrishanan, Shri S. C. (Dindigul—Reserved—Sch. Castes).

Baldev Singh, Sardar (Hoshiarpur).

Balmiki, Shri Kanhaiya Lal (Bulandshahar—Reserved—Sch. Castes).

Banerjee, Shri Pramathanath (Contai).

Banerjee, Shri S. M. (Kanpur).

Banerji, Shri Pulin Behari (Lucknow).

Banerji, Dr. Ram Goti (Bankura).

Bangshi Thakur, Shri (Tripura—Reserved—Sch. Tribes).

Barman, Shri Upendranath (Cooch-Behar—Reserved—Sch. Castes).

Barrow, Shri A. E. T. (Nominated—Anglo-Indians).

Barua, Shri Hem (Gauhati).

Barupal, Shri Panna Lal (Bikaner—Reserved—Sch. Castes).

B—contd.

Basappa, Shri C. R. (Tiptur).

Basumatari, Shri Dharanidhar (Goalpara—Reserved—Sch. Tribes).

Beck, Shri Ignace (Lohardaga—Reserved—Sch. Tribes).

Bhadauria, Shri Arjun Singh (Etawah).

Bhagat, Shri Baliram (Shahabad).

Bhagavati, Shri Bijoy Chandra (Darrang).

Bhakt Darshan, Shri (Garhwal).

Bhanja Deo, Shri Laxmi Narayan (Keonjhar).

Bhargava, Pt. Mukat Behari Lal (Ajmer).

Bhargava, Pt. Thakur Das (Hissar).

Bharucha, Shri Naushir Gursetji (East Khandesh).

Bhatkar, Shri Laxmanraoji Shrawanji (Akola—Reserved—Sch. Castes).

Bhattacharyya, Shri Chapala Kanta (West Dinajpur).

Bhogji Bhai, Shri P. B. (Banswara—Reserved—Sch. Tribes).

Bholi Sardar, Shri (Saharsa-Reserved-Sch. Castes).

Bidari, Shri Ramappa Balappa (Bijapur South).

Birbal Singh, Shri (Jaunpur).

Birendra Bahadur Singhji, Shri (Raipur).

Bist, Shri Jang Bahadur Singh (Almora).

Biswas, Shri Bhola Nath (Katihar).

Borooah, Shri Prafulla Chandra (Sibsagar).

Brahm Prakash, Chaudhury (Delhi Sadar).

Braj Raj Singh, Shri (Firozabad).

Brajeshwar Prasad, Shri (Gaya).

Brij Narayan "Brijesh", Pandit (Shivpuri).

C

Chakravartty, Shrimati Renu (Basirhat).

Chanda, Shri Anil Kumar (Birbhum).

Chandak, Shri Bhikulal Lakhmichand (Chhindwara).

Chandra Shanker, Shri (Broach).

Chandramani Kalo, Shri (Sundargarh—Reserved—Sch. Tribes).

Chaturvedi, Shri Rohanlal (Etah).

Chaudhuri, Shri Tridib Kumar (Berhampore).

Chavan, Shri D. R. (Karad).

Chavda, Shri Akbar (Banaskanta).

Chettiar, Shri R. Ramanathan (Pudukottai).

Choudhry, Shri C. L. (Hajipur—Reserved—Sch. Castes).

Choudhury, Shri Suresh Chandara (Dumka).

Chuni Lal, Shri (Ambala—Reserved—Sch. Castes).

D

Daljit Singh, Shri (Kangra—Reserved—Sch. Castes).

Damani, Shri Surajratan Fatehchand (Jalore).

Damar, Shri Amar Singh (Jhabua—Reserved—Sch. Tribes).

Dange, Shri Shripad Amrit (Bombay City Central).

Das, Shri Kamal Krishna (Birbhum—Reserved—Sch. Castes).

Das, Dr. Mono Mohan (Asansol—Reserved—Sch. Castes).

Das, Shri Nayantara (Monghyr—Reserved—Sch. Castes).

D—contd.

Das Gupta, Shri Bibhuti Bhusan (Purulia).

Dasappa, Shri H. C. (Bangalore).

Dasaratha Deb, Shri (Tripura).

Datar, Shri Balwant Nagesh (Belgaum).

Daulta, Shri Pratap Singh (Jhajjar).

Deb, Shri Narasingha Mala Ugal Sanda (Midnapur).

Deb, Shri P. G. (Angul).

Deo, Shri Pratap Keshari (Kalahandi).

Desai, Shri Morarji R. (Surat).

Deshmukh, Shri K. G. (Ramtek).

Deshmukh, Dr. Panjabrao S. (Amravati).

Dhanagar, Shri Banshi Das (Mainpuri).

Dharmalingam, Shri R. (Tiruvannamalai).

Dige, Shri Shankarrao Khanderao (Kolhapur—Reserved—Sh. Castes).

Dindod, Shri Jaljibhai Koyabhai (Dohad—Reserved—Sch. Tribes).

Dinesh Singh, Shri (Banda).

Dora, Shri Dippala Suri (Parvathipuram).

Drohar, Shri Shivadin (Hardoi—Reserved—Sch. Castes).

Dube, Shri Mulchand (Farrukhabad).

Dublish, Shri Vishnu Sharan (Sardhana).

Dwivedi, Shri M. L. (Hamirpur).

Dwivedy, Shri Surendranath (Kendrapara).

E

Eacharan, Shri V. Iyyani (Palghat).

Elayaperumal, Shri L. (Chidambaram—Reserved—Sch. Castes).

Elias, Shri Muhammed (Howrah).

G

Gaekwad, Shri Fatesinhrao Pratapsinhrao (Baroda).

Gaikwad, Shri Bhaurao Krishnarao (Nasik).

Ganapathy, Shri T. (Tiruchendur).

Gandhi, Shri Maneklal Maganlal (Panchmahals).

Ganga Devi, Shrimati (Unnao—Reserved—Sch. Castes).

Ganpati Ram, Shri (Jaunpur—Reserved—Sch. Castes).

Gautam, Shri Chintaman Dhivrjuji (Balaghat).

Ghodasar, Thakor Shri Fatehsinhji Ratansinhji (Kaira).

Ghosal, Shri Aurobindo (Uluberia).

Ghose, Shri Bimal Coomar (Barrackpore).

Ghose, Shri Subiman (Burdwan).

Ghosh, Shri Atulya (Asansol).

Ghosh, Shri Mohindra Kumar (Jamshedpur).

Ghosh, Shri N. R. (Cooch-Bihar).

Godsora, Shri Sambhu Charan (Singhbhum—Reserved—Sch. Tribes).

Gohokar, Dr. Deorao Yeshwantrao (Yeotmal).

Gopalan, Shri Ayillath Kuttieri (Kasergod).

G—contd.

Goray, Shri Narayan Ganesh (Poona).

Gounder, Shri A. Doraiswami (Tiruppattur).

Gounder, Shri K. Periaswami (Karur).

Gounder, Shri N. P. Shanmugha (Tindivanam).

Govind Das, Seth (Jabalpur).

Guha, Shri Arun Chandra (Barasat).

Gupta, Shri Chheda Lal (Hardoi).

Gupta, Shri Indrajit (Calcutta-South-West).

Gupta, Shri Ram Krishan (Mahendragarh).

Gupta, Shri Sadhan Chandra (Calcutta-East).

H

Hajarnavis, Shri Ramchandra Martand (Bhandara).

Halder, Shri Kansari (Diamond Harbour—Reserved—Sch. Castes).

Harvani, Shri Ansar (Fatehpur).

Hansda, Shri Subodh (Midnapur—Reserved—Sch. Tribes).

Hathi, Shri Jaisukhlal Shanker Lal (Halar).

Hazarika, Shri Jogendra Nath (Dibrugarh).

Heda, Shri H. C. (Nizamabad).

Hem Raj, Shri (Kangra).

Hukam Singh, Sardar (Bhatinda).

Hynniewta, Shri Hoover (Autonomous Districts—Reserved—Sch. Tribes).

I

Iqbal Singh, Sardar (Ferozepur).

Iyer, Shri S. Easwara (Trivandrum).

J

Jadhav, Shri Yadav Narayan (Malegaon).

Jagjivan Ram, Shri (Sasaram—Reserved—Sch. Castes).

Jain, Shri Ajit Prasad (Saharanpur).

Jain, Shri Mool Chand (Kaithal).

Jaipal Singh, Shri (Ranchi West—Reserved—Sch. Tribes).

Jangde, Shri Resham Lal (Bilaspur).

Jedhe, Shri G. K. (Baramate).

Jena, Shri Kanhu Charan (Balasore—Reserved—Sch. Castes).

Jhunjhunwala, Shri Banarsi Prasad (Bhagalpur).

Jinachandran, Shri M. K. (Tellicherry).

Jogendra Sen, Shri (Mandi).

Jogendra Singh, Sardar (Bahraich).

Joshi, Shri Anand Chandra (Shahdol).

Joshi, Shri Liladhar (Shajapur).

Joshi, Shrimati Subhadra (Ambala).

Jyotishi, Pandit Jwala Prasad (Sagar).

K

Kalika Singh, Shri (Azamgarh).

Kamal Singh, Shri (Buxar).

Kamble, Shri Bapu Chandrasen (Kopergaon).

Kamble, Dr. Devrao Namdevrao Pathrikar (Nanded—Reserved—Sch. Castes).

Kanakasabai, Shri R. Pillai (Chidambaram).

Kanungo, Shri Nityanand (Cuttack).

Kar, Shri Prabhat (Hooghly).

Karmarkar, Shri D. P. (Dharwar North).

K—contd.

Karni Singhji, Shri (Bikaner).

Kasliwal, Shri Nemi Chandra (Kotah).

Katti, Shri D. A. (Chikodi).

Kayal, Shri Paresh Nath (Basirhat—Reserved—Sch. Castes).

Kedaria, Shri Chhaganlal Madaribhat (Mandvi—Reserved—Sch. Tribes).

Kesar Kumari, Shrimati (Raipur—Reserved—Sch. Tribes).

Keshava, Shri N. (Bangalore City).

Kaskar, Dr. B. V. (Musafirkhana).

Khadilkar, Shri Raghunath Keshav (Ahmednagar).

Khadiwala, Shri Kanhaiyalal (Indore).

Khan, Shri Osman Ali (Kurnool).

Khan, Shri Sadath Ali (Warangal).

Khan, Shri Shahnawaz (Meerut).

Khimji, Shri Bhawanji R. (Kutch).

Khuda Buksh, Shri Muhammed (Murshidabad).

Khushwaqt Rai (Kheri).

Khwaja, Shri Jamal (Aligarh).

Kiledar, Shri R. S. (Hoshangabad).

Kistaiya, Shri Surti (Bastar—Reserved—Sch. Tribes).

Kodiyan, Shri P. K. (Quilon—Reserved—Sch. Castes).

Koratkar, Shri Vinayak Rao K. (Hyderabad).

Kotoki, Shri Liladhar (Nowgong).

Kottukapally, Shri George Thomas (Moovattupuzha).

Kripalani, Acharya, J. B. (Sitamarhi).

Kripalani, Shrimati Sucheta (New Delhi).

Krishna, Shri M. R. (Karimnagar—Reserved—Sch. Castes).

K—contd.

Krishna Chandra, Shri (Jaleshwar).

Krishna Rao, Shri Mandali Venkata (Masulipatnam).

Krishnaiah, Shri D. Balarama (Gudivada).

Krishnamachari, Shri T. T. (Madras South).

Krishnappa, Shri M. V. (Tumkur).

Krishnaswami, Dr. A. (Chingleput).

Kumaran, Shri M. K. (Chirayinkil).

Kumbhar, Shri Banamali (Sambalpur—Reserved—Sch. Castes).

Kunhan, Shri P. (Palghat—Reserved—Sch. Castes).

Kureel, Shri Baij Nath (Rae Bareli—Reserved—Sch. Castes).

L

Lachhi Ram, Shri (Hamirpur—Reserved—Sch. Castes).

Lachman Singh, Shri (Nominated—Andaman and Nicobar Islands).

Lahiri, Shri Jitendra Nath (Serampore).

Laskar, Shri Nibaran Chandra (Cachar—Reserved—Sch. Castes).

Laxmi Bai, Shrimati Sangam (Vikarabad).

M

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Mahagaonkar, Shri Bhausaheb Rao Saheb (Kolhapur).

Mahanty, Shri Surendra (Dhenkanal).

Mahendra Pratap, Raja (Mathura).

Maiti, Shri Nikunja Bihari (Ghatal).

Mahadeo Prasad, Shri (Gorakhpur—Reserved—Sch. Castes).

Majhi, Shri Ram Chandra (Mayurbhanj—Reserved—Sch. Tribes).

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Malaviya, Pandit Govind (Sultanpur).

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Malhotra, Shri Inder J. (Jammu and Kashmir).

Malliah, Shri U. Srinivasa (Udipi).

Mallik, Shri D. C. (Dhanbad).

Malvia, Shri Kanhaiyalal Bherulal (Shajapur—Reserved—Sch. Castes).

Malviya, Shri Motilal (Khajuraho—Reserved—Sch. Castes).

Manaen, Shri T. (Darjeeling).

Manay, Shri Gopal Kaluji (Bombay City Central—Reserved—scheduled Castes).

Mandal, Shri Jialal (Khagaria).

Mandal, Dr. Pashupati (Bankura—Reserved—Sch. Castes).

Maniyangadan, Shri Mathew (Kottayam).

Manjula Devi, Shrimati (Goalpara).

Masani, Shri M. R. (Ranchi—East).

Masuriya Din, Shri (Phulpur—Reserved—Sch. Castes).

Matera, Shri Laxman Mahadu (Thana—Reserved—Sch. Tribes).

Mathur, Shri Harish Chandra (Pali).

Matin, Qazi S. A. (Giridih).

Mehdi, Shri Syed Ahmed (Rampur).

Mehta, Shri Ashok (Muzaffarpur).

Mehta, Shri Balwantray Gopalji (Gohilwad).

Mehta, Shri Jaswantraj (Jodhpur).

Mehta, Shrimati Krishna (Jammu and Kashmir).

Melkote, Dr. G. S. (Raichur).

Menon, Dr. K. B. (Badagara).

Menon, Shri V. K. Krishna (Bombay City North).

Menon, Shri T. C. Narayanankutty (Mukandapuram).

M—contd.

Minimata, Shrimati Agamadas Guru (Baloda Bazar—Reserved—Sch. Castes).

Mishtra, Shri Bibhuti (Bagaha).

Mishra, Shri Lalit Narayan (Saharsa).

Mishra, Shri Mathura Prasad (Begusarai).

Mishra, Shri Raja Ram (Faizabad).

Mishra, Shri Shyam Nandan (Jainagar).

Misra, Shri Bhagwan Din (Kaisarganj).

Misra, Shri Raghubar Dayal (Bulandshahr).

Mohammad Akbar, Sheikh (Jammu and Kashmir).

Mohammed Imam, Shri (Chitaldrug).

Mohan Swarup, Shri (Pilibhit).

Mohideen, Shri M. Gulam (Dindigul).

Mohiuddin, Shri Ahmed (Secunderabad).

Morarka, Shri Radheyshyam Ramkumar (Jhunjhunu).

More, Shri Jayawant Ghanshyam (Sholapur).

Mukerjee, Shri Hirendra Nath (Calcutta—Central).

Mullick, Shri Baishnab Charan (Kendrapara—Reserved—Sch. Castes).

Muniswamy, Shri N. R. (Vellore).

Murmu, Shri Paika (Rajmahal—Reserved—Sch. Tribes).

Murthy, Shri B. S. (Kakinada—Reserved—Sch. Castes).

Murthy, Shri M. S. (Golugonda).

Musaffr, Giani Gurmukh Singh (Amritsar).

Muthukrishnan, Shri M. (Vellore—Reserved—Sch. Castes).

N

Nadar, Shri P. Thanulingam (Nagercoil).

Naidu, Shri R. Govindarajalu (Tiruvallur).

Nair, Shri C. Krishnan (Outer Delhi).

Nair, Shri K. P. Kuttikrisnnan (Kozhikode).

Nair, Shri P. K. Vasudevan (Thiruvella).

Naldurgkar, Shri Venkatrao Sriniwasrao (Osmanabad).

Nallakoya, Shri Koyilat (Nominated—Laccadive, Minicoy and Amindive Islands).

Nanda, Shri Gulzarilal (Sabarkantha).

Nanjappan, Shri C. (Nilgiris).

Naraindin, Shri (Shahjahanpur—Reserved—Sch. Castes).

Narasimhan, Shri C. R. (Krishnagiri).

Narayanasamy, Shri R. (Periyakulam).

Naskar, Shri Purnendu Sekhar (Diamond Harbour).

Nath Pai, Shri (Rajapur).

Nathwani, Shri Narendrabhai P. (Sorath).

Nayak Shri Mohan (Ganjam—Reserved—Sch. Castes).

Nayar, Dr. Sushila (Jhansi).

Nayar, Shri V. P. (Quilon).

Nayudu, Shri T. D. Muthukumarasami (Cuddalore).

Negi, Shri Nek Ram (Mahasu—Reserved—Sch. Castes).

Nehru, Shri Jawaharlal (Phulpur).

Nehru, Shrimati Uma (Sitapur).

Neswi, Shri T. R. (Dharwar South).

O

Onkar Lal, Shri (Kotah—Reserved—Sch. Castes).

Oza, Shri Ghanshyam Lal (Zalawad).

P

Padam Dev, Shri (Chamba).

Pahadia, Shri Jagan Nath Prasad (Sawai Madhopur—Reserved—Sch. Castes).

Palaniyandy, Shri M. (Perambalur).

Palchoudhuri, Shrimati Ila (Nabadwip).

Pande, Shri C. D. (Naini Tal).

Pandey, Shri Kashi Nath (Hata).

Pandey, Shri Sarju (Rasra).

Pangarkar, Shri Nagorao Karojee (Parbhani).

Panigrahi, Shri Chintamoni (Puri).

Panna Lal, Shri (Faizabad—Reserved—Sch. Castes).

Parmar, Shri Deenabandhu (Udaipur Reserved—Sch. Tibes).

Parmar, Shri Karsandas Ukbhai (Ahmedabad—Reserved—Sch. Castes).

Parulekar, Shri Shamrao Vishnu (Thana).

Parvathi Krishnan, Shrimati M. (Coimbatore).

Patel, Sushri Maniben Vallabhbhai (Anand).

Patel, Shri Nanubhai Nichhabhai (Bulsar—Reserved—Sch. Tribes).

Patel, Shri Purushottamdas R. (Mehsana).

Patel, Shri Rajeshwar (Hajipur).

Patil, Shri Balasaheb (Miraj).

Patil, Shri Nana (Satara).

Patil, Shri R. D. (Bhir).

Patil, Shri S. K. (Bombay City South).

P—contd.

Patil, Shri Uttamrao Laxman (Dhulia).

Patnaik, Shri Uma Charan (Ganjam).

Pattabhi Raman, Shri C. R. (Kumbakonam).

Pillai, Shri S. C. C. Anthony (Madras North).

Pillai, Shri P. T. Thanu (Tirunelveli).

Pocker Sahib, Shri B. (Manjeri).

Prabhakar, Shri Naval (Outer Delhi—Reserved—Sch. Castes).

Prodhan, Shri Bijaya Chandrasingh (Kalahandi—Reserved—Sch. Tribes)

Punnoose, Shri P. T. (Ambalapuzha).

R

Radha Mohan Singh, Shri (Ballia).

Radha Raman, Shri (Chandni Chowk).

Raghubir Sahai, Shri (Budaun).

Raghunath Singh, Shri (Varanasi).

Raghunath Singhji, Shri (Barmer).

Raghuramaiah, Shri Kotha (Guntur).

Rahman, Shri M. Hifzur (Amroha).

Rai, Shrimati Sahodrabai (Sagar—Reserved—Sch. Castes).

Raj Bahadur, Shri (Bharatpur).

Rajendra Singh, Shri (Chapra).

Raju, Shri D. S. (Rajahmundry).

Rajyalaxmi, Shrimati Lalita (Hazaribagh).

Ram Garib, Shri (Basti—Reserved—Sch. Castes).

Ram Saran, Shri (Moradabad).

Ram Shankar Lal, Shri (Domariaganj).

R—contd.

Ram Subhag Singh, Dr. (Sasaram).

Ramakrishnan, Shri Peelamedu Rangaswamy Naidu (Pollachi).

Ramam, Shri Uddaraju (Narasapur).

Ramananda Tirtha, Swami (Aurangabad).

Ramaswamy, Shri S. V. (Salem).

Ramaswamy, Shri K. S. (Gobichettipalayam).

Ramaswamy, Shri Pulli (Mahbubnagar—Reserved—Sch. Castes).

Ramaul, Shri S. N. (Mahasu).

Ramdhani Das, Shri (Nawada—Reserved—Sch. Castes).

Rampure, Shri Mahadevappa Y. (Gulbarga).

Ranbir Singh, Ch. (Rohtak).

Rane, Shri Shivram Rango (Buldana).

Ranga, Shri N. G. (Tenali).

Rangarao, Shri M. Sri (Karimnagar).

Rao, Shri B. Rajagopala (Srikakulam).

Rao, Shri Devulapalli Venkateswar (Nalgonda).

Rao, Shri Etikala Madhusudan (Mahbubabad).

Rao, Shri P. Hanmanth (Medak).

Rao, Shri R. Jaganatha (Koraput).

Rao, Shri Rameshwar (Mahbubnagar).

Rao, Shri T. B. Vittal (Khammam).

Rao, Shri Thirumala (Kakinada).

Raut, Shri Bhola (Champaran—Reserved—Sch. Castes).

Raut, Shri Rajaram Balkrishna (Kolaba).

Ray, Shrimati Renuka (Malda).

R—contd.

Reddy, Shri Chegireddy Bali (Markapur).

Reddy, Shri K. C. (Kolar).

Reddy, Shri R. Lakshmi Narasa (Nellore).

Reddy, Shri R. Narapa (Ongole).

Reddy, Shri T. Nagi (Anantapur).

Reddy, Shri K. V. Ramakrishna (Hindupur).

Reddy, Shri T. N. Vishwanatha (Rajampet).

Reddy, Shri Vutukuru Rami (Cuddapah).

Roy, Shri Bishwanath (Salempur).

Rungsung Suisa, Shri (Outer Manipur—Reserved—Sch. Tribes).

Rup Narain, Shri (Mirzapur—Reserved—Sch. Castes).

S

Sadhu Ram, Shri (Jullundur—Reserved—Sch. Castes).

Sahu, Shri Bhagabat (Balasore).

Sahu, Shri Rameshwar (Darbhanga—Reserved—Sch. Castes).

Saigal, Sardar Amar Singh (Janjgir).

Saksena, Shri Shibban Lal (Maharajganj).

Salunke, Shri Balasaheb (Khed).

Samanta, Shri Satis Chandra (Tamluk).

Samantsinhar, Dr. N. C. (Bhubaneswar).

Sambandam, Shri K. R. (Nagapattinam).

Sampath, Shri E. V. K. (Namakkal).

S—contd.

Sanganna, Shri Toyaka (Koraput—Reserved—Sch. Tribes).

Sankarapandian, Shri M. (Tenkasi).

Sarhadi, Shri Ajit Singh (Ludhiana).

Satish Chanda, Shri (Bareilly).

Satyabhama Devi, Shrimati (Nawada)

Satyanarayana, Shri Biddika (Parvathipuram—Reserved—Sch. Tribes).

Scindia, Shrimati Vijaya Raje (Guna).

Selku, Shri Mardi (West Dinajpur—Reserved—Sch. Tribes).

Sen, Shri Asoke Kumar (Calcutta—North-West).

Sen, Shri Phani Gopal (Purnea).

Seth, Shri Bishanchandar (Shahjahanpur).

Shah, Shrimati Jayaben Vajubhai (Girnar).

Shah, Shri Manabendra (Tehri Garhwal).

Shah, Shri Manubhai (Madhya Saurashtra).

Shakuntala Devi, Shrimati (Banka).

Shankar Deo, Shri (Gulbarga—Reserved—Sch. Castes).

Shankaraiya, Shri M. (Mysore).

Sharma, Shri Diwan Chand (Gurdaspur).

Sharma, Pandit Krishna Chandra (Hapur).

Sharma, Shri Harish Chandra (Jaipur).

Sharma, Shri Radha Charan (Gwalior).

Shastri, Pandit Hiralal (Sawai Madhopur).

Shastri, Shri Lal Bahadur (Allahabad).

S—contd.

Shastri, Shri Prakash Vir (Gurgaon).

Shastri, Swami Ramanand (Barabanki—Reserved—Sch. Castes).

Shivananjappa, Shri M. K. (Mandya).

Shobha Ram, Shri (Alwar).

Shree Narayan Das, Shri (Darbhanga).

Shukla, Shri Vidya Charan (Baloda Bazar).

Siddananjappa, Shri H. (Hassan).

Siddiah, Shri S. M. (Mysore—Reserved—Sch. Castes).

Singh, Shri Chandikeshwar Saran (Sarguja).

Singh, Shri Digvijiya Narayan (Pupri).

Singh, Shri Dinesh Pratap (Gonda).

Singh, Shri Har Prasad (Ghazipur).

Singh, Shri Kamal Narain (Shahadol —Reserved—Sch. Tribes).

Singh, Shri Laisram Achaw (Inner Manipur).

Singh, Shri Mahendra Nath (Maharajganj).

Singh, Shri P. N. (Chandauli).

Sinha, Shri Anirudh (Madhubani).

Sinha, Shri Banarsi Prasad (Monghyr).

Sinha, Shri Gajendra Prasad (Palamau).

Sinha, Shri Jhulan (Siwan).

Sinha, Shri Kailash Pati (Nalanda).

Sinha, Shri Sarangdhara (Patna).

Sinha, Shri Satya Narayan (Samastipur).

Sinha, Shri Satyendra Narayan (Aurangabad—Bihar).

Sinha, Shrimati Tarkeshwari (Barh).

Sinhasan Singh, Shri (Gorakhpur).

Siva, Dr. M. V. Gangadhara (Chittoor—Reserved—Sch. Castes).

Sivaraj, Shri N. (Chingleput—Reserved—Sch. Castes).

Snatak, Shri Nardeo (Aligarh—Reserved—Sch. Castes).

Somani, Shri G. D. (Dausa).

S—contd.

Sonawane, Shri Tayappa (Sholapur—Reserved—Sch. Castes).

Sonule, Shri Harihar Rao (Nanded).

Soren, Shri Debi (Dumka—Reserved—Sch. Tribes).

Subbarayan, Dr. P. (Tiruchengonda).

Subramanyam, Shri Tekur (Bellary).

Sugandhi, Shri Murikeppa Siddappa (Bijapur North).

Sultan, Shrimati Maimoona (Bhopal).

Supakar, Shri Shraddhakar (Sambalpur).

Sumat Prasad, Shri (Muzaffarnagar).

Sunder Lal, Shri (Saharanpur—Reserved—Sch. Castes).

Surya Prasad, Shri (Gwalior—Reserved—Sch. Castes).

Swami, Shri V. N. (Chanda).

Swaran Singh, Sardar (Jullundur).

Syed Mahmud, Dr. (Gopalganj).

T

Tahir, Shri Mohammed (Kishanganj).

Tangamani, Shri K. T. K. (Madurai).

Tantia, Shri Rameshwar (Sikar).

Tariq, Shri Ali Mohammad (Jammu and Kashmir).

Tewari, Shri Dwarikanath (Cachar).

Thakore, Shri Motisinh Bahadursinh (Patan).

Thevar, Shri U. Muthurmalinga (Srivilliputhur).

Thimmaiah, Shri Dodda (Kolar—Reserved—Sch. Castes).

Thomas, Shri A. M. (Eranakulam).

T—contd.

Tiwari, Pandit Babu Lal (Nimar Khandwa).

Tiwari, Shri Ram Sahai (Khajuraho).

Tiwary, Pandit Dwarka Nath (Kesaria).

Tula Ram, Shri (Etawah—Reserved—Sch. Castes).

Tyagi, Shri Mahavir (Dehra Dun).

U

Uike, Shri M. G. (Mandla—Reserved—Sch. Tribes).

Umrao Singh, Shri (Ghosi).

Upadhyaya, Pandit Munishwar Dutt (Pratapgarh).

Upadhyaya, Shri Shiva Datt (Reva).

V

Vairavan, Shri A. (Tanjore).

Vajpayee, Shri Atal Bihari (Balrampur).

Valvi, Shri Laxman Vedu (West Khandesh—Reserved—Sch. Tribes).

Varma, Shri B. B. (Champaran).

Varma, Shri Manikya Lal (Udaipur).

Varma, Shri Ramsingh Bhai (Nimar).

V—contd.

Vedakumari, Kumari M. (Eluru).

Venkatasubbaiah, Shri Pendekanti (Adoni).

Verma, Shri Ramji (Deoria).

Vijaya Ananda, Dr. (Visakhapatnam).

Vijaya Raje, Shrimati (Chatra).

Vishwanath Prasad, Shri (Azamgarh —Reserved—Sch. Castes).

Vyas, Shri Ramesh Chandra (Bhilwara).

Vyas, Shri Radhelal (Ujjain).

W

Wadiwa, Shri Narayan Maniramji (Chhindwara—Reserved—Sch. Tribes).

Warior, Shri K. K. (Trichur).

Wasnik, Shri Balkrisha (Bhandara—Reserved—Sch. Castes).

Wilson, Shri John N. (Mirzapur).

Wodeyar, Shri K. G. (Shimoga).

Y

Yadav, Shri Ram Sewak (Barabanki).

Yajnik, Shri Indulal Kanaiyalal (Ahmedabad).

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Shri M. Ananthasayanam Ayyangar.

The Deputy-Speaker

Sardar Hukam Singh.

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Shrimati Renu Chakravartty.
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Shri Mulchand Dube.
Dr. Sushila Nayar.

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Shri Shraddhakar Supakar.

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Shri Surti Kistaiya.
Shri Baishnab Charan Mullick.
Shri Chintamoni Panigrahi.
Shri Rajeshwar Patel.
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Shri Rungsung Suisa.
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Shri Bhausaheb Raosaheb Mahagaonkar.
Rani Manjula Devi.
Shri Bibhuti Mishra.
Shri G. S. Musafir.
Shri M. Muthukrishnan.
Shri K. P. Kuttikrishnan Nair.
Shri Jagan Nath Prasad Pahadia.
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Shri T. Nagi Reddy.
Shri Vutukuru Rami Reddy.
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Shri Satis Chandra Samanta.
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Shri A. M. Tariq.
Shri Mahavir Tyagi.
Shri M. G. Uikey.

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Shri C. R. Basappa.
Shri Daljit Singh.
Shri Bibhuti Bhushan Das Gupta.
Shri Ganpati Ram.
Shri Kamal Singh.
Shri Motilal Malviya.
Dr. Pashupati Mandal.
Shri Naval Prabhakar.
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Shri Anirudha Sinha.
Shri Atal Bihari Vajpayee.
Shri Ramji Verma.

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Shri Arjun Singh Bhadauria.
Shri Jaljibhai Koyabhai Dindod.
Thakor Shri Fatesinhji Ghodasar.
Pandit Jwala Prasad Jyotishi.
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Shri Ram Chandra Majhi.
Shrimati Krishna Mehta.
Shri P. K. Vasudevan Nair.
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Shri Phani Gopal Sen.
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Shri Surendra Mahanty.
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Shri Balasaheb Patil.
Sardar Amar Singh Saigal.
Shrimati Jayaben Vajubhai Shah.
Shri Jhulan Sinha.
Shri Sunder Lal

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Shri T. Manaen.
Shri G. K. Maney.
Shri S. A Matin.
Shri Baishnab Charan Mullick.
Shri T. R. Neswi.
Shri Shamrao Vishnu Parulekar.
Shri Purushottamdas R. Patel.
Shri Radha Raman.
Dr. N. C. Samantsinhar.
Pandit Dwarka Nath Tiwary.

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Shri Jashaud Singh Bisht.
Shri Surendra Mohan Ghose.
Dr. Shrimati Seeta Parmanand.
Shri V. C. Kesava Rao.
Shri Mulka Govind Reddy.
Shri Jaswant Singh.

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Shri Aurobindo Ghosal.
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Shri Kanhaiyalal Bherulal Malvia.
Shri T. C. N. Menon.
Shri J. M. Mohamed Imam.
Shri Ghanshyamlal Oza.
Shri Karsandas Parmar.
Shri Raghubir Sahai.
Shri K. S. Ramaswamy.
Shri Vutukuru Rami Reddy.
Shri Ajit Singh Sarhadi.
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Shri Braj Raj Singh.
Shrimati Renu Chakravartty.
Shri S. A. Dange.
Shri H. C. Dasappa.
Shri P. K. Deo.
Shri Mulchand Dube.
Shri H. C. Heda
Shri N. G. Ranga
Shri Jaipal Singh.
Acharya J. B. Kripalani.
Dr. A. Krishnaswami.
Shri U. Srinivasa Malliah.
Dr. Sushila Nayar.
Shri C. R. Pattabhi Raman.
Shri Satya Narayan Sinha.
Shri N. Sivaraj.
Shri Indulal Kanaiyalal Yajnik.
Shri Jaganatha Rao

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Shri Rohanlal Chaturvedi.
Shri Maneklal Maganlal Gandhi.
Shri Khushwaqt Rai.
Shrimati Parvathi M. Krishnan.
Shri Bhausaheb Raosaheb Mahagaonkar.
Shri Rajeshwar Patel.
Shrimati Sahodra Bai Rai.
Shri Jaganatha Rao.
Shri Satis Chandra Samanta.
Shri Radhelal Vyas.

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Shri Hirendra Nath Mukerjee.
Shrimati Uma Nehru.
Shri Radha Charan Sharma.
Shri H. Siddananjappa.
Shri Satyendra Narayan Sinha.

Rajya Sabha

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Shri T. S. Avinashilingam Chettiar.

Shri M. Govinda Reddy.

Dr. Raj Bahadur Gour.

Shri Rajendra Pratap Sinha.

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Shri Laxmi Narayan Bhanja Deo.

Shri Narayan Ganesh Goray.

Shri Doraiswamy Gounder.

Shri Kanhaiyalal Khadiwala.

Shri P. K. Kodiyan.

Shri U. Srinivasa Malliah.

Shri Raghubar Dayal Misra.

Shri Diwan Chand Sharma.

Rajya Sabha

Shri Jaspat Roy Kapoor.

Shri Tika Ram Paliwal.

Shri Rohit M. Dave.

Shrimati Yashoda Reddi.

Dr. W. S. Barlingay.

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Pandit Thakur Das Bhargava.

Shrimati Renu Chakravartty.

Shrimati Uma Nehru.

Shri M. S. Sugandhi.

Shri Ghanshyamlal Oza.

Shri Purushottamdas R. Patel.

Shri C. R. Pattabhi Raman.

Shri M. Shankaraiya.

Shri Satya Narayan Sinha.

Shri N. Siva Raj.

Shri N. M. Wadiwa.

Shri Balkrishna Wasnik.

GOVERNMENT OF INDIA

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Minister of Home Affairs—Shri Govind Ballabh Pant.

Minister of Finance—Shri Morarji Desai.

Minister of Railways—Shri Jagjivan Ram.

Minister of Labour, Employment and Planning—Shri Gulzarilal Nanda.

Minister of Commerce and Industry—Shri Lal Bahadur Shastri.

Minister of Steel, Mines and Fuel—Sardar Swaran Singh.

Minister of Works, Housing and Supply—Shri K. C. Reddy.

Minister of Defence—Shri V. K. Krishna Menon.

Minister of Food and Agriculture—Shri S. K. Patil.

Minister of Irrigation and Power—Hafiz Mohammad Ibrahim.

Minister of Law—Shri Asoka K. Sen.

Minister of Transport and Communications—Dr. P. Subbarayan.

Ministers of State

Minister of Parliamentary Affairs—Shri Satya Narayan Sinha.

Minister of Information and Broadcasting—Dr. B. V. Keskar.

Minister of Health—Shri D. P. Karmarkar.

Minister of Agriculture—Dr. Panjabrao S. Deshmukh.

Minister of Mines and Oil—Shri Keshava Deva Malaviya.

Minister of Rehabilitation and Minority Affairs—Shri Mehr Chand Khanna.

Minister of Commerce—Shri Nityanand Kanungo.

Minister of State in the Ministry of Transport and Communications—Shri Raj Bahadur.

Minister of State in the Ministry of Home Affairs—Shri B. N. Datar.

Minister of Industry—Shri Manubhai Shah.

Minister of Community Development and Co-operation—Shri Surendra Kumar Dey.

Minister of Education—Dr. K. L. Shrimali.

Minister of Scientific Research and Cultural Affairs—Shri Humayun Kabir.

Minister of Revenue and Civil Expenditure—Shri B. Gopala Reddi.

Deputy Ministers

Deputy Minister of Defence—Sardar Surjit Singh Majithia.

Deputy Minister of Labour—Shri Abid Ali.

Deputy Minister of Works, Housing and Supply—Shri Anil K. Chanda.

Deputy Minister of Agriculture—Shri M. V. Krishnappa.

Deputy Minister of Irrigation and Power—Shri Jaisukhlal Lalshankar Hathi.

Deputy Minister of Commerce and Industry—Shri Satish Chandra.

Deputy Minister of Planning—Shri Shyam Nandan Mishra.

Deputy Minister of Finance—Shri B. R. Bhagat.

Deputy Minister of Scientific Research and Cultural Affairs—Dr. Mono Mohon Das.

Deputy Minister of Railways—Shri Shahnawaz Khan.

Deputy Minister of External Affairs—Shrimati Lakshmi N. Menon.

Deputy Minister of Home Affairs—Shrimati Violet Alva.

Deputy Minister of Defence—Shri Kotha Raghuramaiah.

Deputy Minister of Food—Shri A. M. Thomas.

Deputy Minister of Law—Shri R. M. Hajarnavis.

Deputy Minister of Railways—Shri S. V. Ramaswamy.

Deputy Minister of Civil Aviation—Shri Ahmed Mohiuddin.

Deputy Minister of Finance—Shrimati Tarkeshwari Sinha.

Deputy Minister of Rehabilitation—Shri Purnendu Sekhar Naskar.

Deputy Minister of Community Development and Cooperation—Shri B. S. Murthy.

Deputy Minister of Planning and Labour and Employment—Shri Lalit Narayan Mishra.

Parliamentary Secretaries

Parliamentary Secretary to the Minister of External Affairs—Shri Sadath Ali Khan.

Parliamentary Secretary to the Minister of External Affairs—Shri Jogendra Nath Hazarika.

Parliamentary Secretary to the Minister of Defence—Shri Fatesinhrao Pratapsinhrao Gaekwad.

Parliamentary Secretary to the Minister of Information and Broadcasting—Shri Anand Chandra Joshi.

Parliamentary Secretary to the Minister of Steel, Mines and Fuel—Shri Gajendra Prasad Sinha.

Parliamentary Secretary to the Minister of Community Development and Cooperation—Shri Shyam Dhar Mishra.

LOK SABHA

Monday, November 14, 1960/ Kartika 23, 1882 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Chinese Incursions

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*1. **Shri P. G. Deb:**
Shri S. A. Mehdi:
Shri Bhakt Darshan:
Shri Ram Krishan Gupta:
Shri Vidya Charan Shukla:
Shri D. C. Sharma:
Shri Khuswaqt Rai:

Will the **Prime Minister** be pleased to state:

(a) whether there have been any Chinese incursions in Indian Territory since the 9th September, 1960; and

(b) if so, the details of the same?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) and (b). There have been some minor incursions by patrol parties. Details are given in Government of India's notes on September 26, 1960 and October 24, 1960 which are included in White Paper IV to be placed on the Table of the House today.

Shri P. G. Deb: What was the result of the protest, if at all made?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Hon. Member will see the full correspondence in this White Paper which is being placed on the table of the House later. The border incident was denied.

श्री म० ला० द्विवेदी : मैं यह जानना चाहता हूं कि क्या प्रधान मंत्री महोदय का ध्यान चीन के प्रधान मंत्री के उस बयान की तरफ गया है जिसमें उन्होंने कहा है कि सीमा सम्बन्धी जो झगड़े हैं उन को सुलझाने में भारत सरकार की हठधर्मी है और वह सुलझाने के मूड में नहीं है। दूसरी सरकारों ने जैसे बर्मा और नेपाल की सरकारों ने झगड़े तय कर लिये हैं . . .

Mr. Speaker: Hon. Member must put a question. He is going on arguing.

श्री म० ला० द्विवेदी : मैं जानना चाहता हूं कि क्या भारत सरकार ने इस सम्बन्ध में अपना कोई विचार व्यक्त किया है और यदि हां, तो क्या ?

श्री जवाहरलाल नेहरू : जी हां अखबार में चीन के प्रधान मंत्री का जो बयान छपा था वह मैंने पढ़ा। अब यह उनकी अपनी राय है। हमारी राय इसके खिलाफ है और आप जानते ही हैं कि हमारी राय क्या है।

Shri P. G. Deb: Is it not a fact that the incursions into Indian territory by Chinese planes took place many times during the last two months, the incursions by air?

Shri Jawaharlal Nehru: These are also given in the White Paper, the list as given by us. It is not always possible to find out exactly whose planes they are. They fly at a height of about seventy thousand feet, very high; and it is difficult to distinguish; and often at night. One can just see

a light. They have denied this fact that they have sent any planes. We have felt that they must have come somewhere from that direction; but absolute proof as to whose plane it might be, it is very difficult to give. According to Chinese accounts it must be somebody else's planes.

Shri S. A. Mehdi: May I know whether there have been any arrests in this connection on the side of Sikkim border, in September?

Shri Jawaharlal Nehru: In which connection, Sir?

Shri S. A. Mehdi: I mean of Chinese soldiers, on this side.

Shri Jawaharlal Nehru: As I said, you will find the details there. There were no arrests. There are some patrol parties, about a dozen persons or two, who came in fifteen miles and who when they saw our forces retired immediately. There was no actual conflict. They retired forthwith.

श्री भक्त दर्शन : श्रीमन्, शासन की ओर से यह स्वीकार किया गया है कि इस बीच में छुट-फुटे रूप में भारतीय सीमा का अतिक्रमण किया गया है तो इस तरह की घटनाओं को रोकने के लिये और भविष्य में ऐसा न होने पाय इस बारे में क्या खासतौर से कुछ विशेष कठोर कदम उठाये गये हैं ?

श्री जवाहरलाल नेहरू : आक्रमण रोकने के लिये काफी इंतजाम है लेकिन दो, चार आदमी घुसपैठ कर चले आयें, छिप कर चले आयें यह तो हमेशा हो सकता है और कोई भी जा सकता है इधर से उधर और एक एक इंच को रोकना तो जरा मुश्किल बात है । अब उनका बयान यह है कि आप देखेंगे कि चन्द लोग धोखे से उधर चले गये थे क्योंकि वहां कोई निशान तो है नहीं ।

Shri Vidya Charan Shukla: May I know if there was any exchange of fire as a result of these incursions into our territory?

Shri Jawaharlal Nehru: No, Sir, there was no conflict.

Shri Hem Barua: May I know whether it is a fact that Chinese troops fired upon Indian armed personnel on the Indo-Chinese border near a place called Tutking in NEFA territory on October 7, and that we suffered one or two casualties?

Shri Jawaharlal Nehru: We have no such information, as far as I know.

Shri Goray: Did we send any planes of our own to identify whether they were Chinese or of some other nation?

Shri Jawaharlal Nehru: Naturally, we always try to identify; but, as I said, these so-called incursions take place normally at night, and at a tremendous height. If we send a plane—the whole thing takes seconds. These are presumably jet planes flying very fast, at a very high altitude.

Shri Vajpayee: In his address to the United Nations General Assembly the Prime Minister described the Chinese occupation of Indian territory as a mere controversy. May I know why he did not say that they had committed agression against India?

Mr. Speaker: That does not arise out of this question. The question refers only to recent incursions and as to what the details are.

Shri Ram Krishan Gupta: May I know whether it is a fact that Chinese troops have also left some of our areas and, if so, whether any steps have been taken to reoccupy them?

Shri Jawaharlal Nehru: I am not aware of their having left any area. It is possible that they have withdrawn their camp a little, maybe two or three miles—but they have not left any area. I have a vague idea that this happened in one place because of an outbreak of epidemic disease there at that point.

Mr. Speaker: Next question.

Shri Hem Barua: May I humbly submit...

Mr. Speaker: I cannot allow this to develop into a big argument.

श्री ब्रजराज सिंह : श्रीमन्, जिस छुटपुट घुसपैठ का जिक्र किया गया है उससे हमारे कितने क्षेत्रफल पर असर पड़ा और क्य जितना क्षेत्रफल पहले चाइनीज के कब्जे में था उससे कुछ और अधिक उनके कब्जे में चला गया है ?

श्री जवाहरलाल नेहरू : मैं पूरी तौर से समझा नहीं । क्या आपका मतलब यह है कि जहां के लिये कहा जाता है वहां से हटे हैं कि नहीं तो मैंने तो कहा कि वह हटे नहीं हैं...

श्री ब्रजराज सिंह : मेरा मतलब यह नहीं था । मेरा मतलब तो यह था कि आपने जो यह कहा कि इस बीच में चीनियों ने छोटी मोटी घुसपैठ हमारी टैरीटैरी में की हैं तो मैं जानना चाहता हूं कि क्या इस घुसपैठ के कारण हमारे किसी क्षेत्रफल पर असर पड़ा है और जितने क्षेत्रफल पर उनका पहले कब्जा था क्या उससे ज्यादा इलाका उनके कब्जे में चला गया है ?

श्री जवाहरलाल नेहरू : नहीं इसमें कोई फर्क नहीं पड़ा । अगर आप देखेंगे हमें वहां के लोकल आदमियों से खबर आई कि चन्द सिपाही ७, ८ १० आदमी उन्होंने देखे थे लेकिन जहां हमारे लोग पास में पहुंचे वे लोग फौरन चले गये थे । उस वक्त तक कोई और नहीं पड़ा ।

भारत-चीन वार्ता

*२. श्री भक्त दर्शन :
श्री राजेन्द्र सिंह :
श्री रामकृष्ण गुप्त :
श्री नरदेव स्नातक :
श्री स० मो० बनर्जी :
श्री प्रकाशवीर शास्त्री :
श्री दी० चं० शर्मा :
श्री विद्याचरण शुक्ल :
डा० राम सुभग सिंह :
श्री प्र० के० देव :
श्री हरिश्चन्द्र माथुर :
श्रीमती इला पालचौधरी :
श्रीमती मफीदा अहमद :
श्री खुशवक्त राय :
श्री सुरेन्द्रनाथ द्विवेदी :
श्री सूपकार :
श्री आसर :
श्री डामर :
श्री हेम बरुआ :
श्री रघुनाथ सिंह :
श्री अगाड़ी :
श्री वोडयार :

क्या **प्रधान मंत्री** १८ अगस्त, १९६० के तारांकित प्रश्न संख्या ४९८ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि भारत और चीन के पदाधिकारियों के बीच भारत-चीन सीमा विवाद के संबंध में जो विचार-विमर्श चल रहा था उसमें क्या प्रगति हुई है ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू): भारतीय और चीनी अधिकारियों ने १९ अगस्त, १९६० को फिर से बातचीत शुरू की और उनकी यह बातचीत ५ अक्तूबर, १९६० तक दिल्ली में चलती रही । अब इन दोनों दलों ने यह अनुभव किया कि वे सितम्बर के अन्त तक सबूत की जांच पूरी न कर सकेंगे तो उन्होंने भारत और चीन के प्रधान मंत्रियों से अवधि बढ़ाने का अनुरोध किया । उनका यह अनुरोध मान लिया गया और जब ये दल रंगून में अपनी तीसरी बैठक कर रहे हैं, जहां वे अपना काम खत्म करके रिपोर्टों तैयार कर देंगे । उम्मीद है कि ये दल नवम्बर, १९६० के अन्त तक अपना काम खत्म कर लेंगे । उसके बाद, दोनों तरफ की रिपोर्ट दोनों सरकारों के पास विचार के लिये पेश कर दी जायेंगी ।

May I read it in English too, Sir?

Mr. Speaker: Yes.

Shri Jawaharlal Nehru: Indian and Chinese officials resumed their talks on August 19, 1960 and they were in session in Delhi till October 5, 1960. Since the teams found that they could not complete the examination of the evidence by the end of September they requested the Prime Ministers of India and China to extend the time limit. This was agreed to and the teams are now meeting and holding a third session in Rangoon, where they will complete the work and finalise the report. The teams expect to finish their work by the end of November, 1960. Thereafter the report of both sides will be submitted for consideration to the two Governments.

श्री भक्त दर्शन : मैं यह जानना चाहता हूं कि जिस चाल और जिस ढंग से अब तक दोनों देशों के प्रतिनिधियों में बातचीत चलती रही है उसको दृष्टि में रख कर क्या भारत सरकार को विश्वास है कि इस प्रकार दोनों देशों में सम्मानपूर्ण समझौता हो जायेगा ।

श्री जवाहरलाल नेहरू : इसका जवाब तो मैं नहीं दे सकता, क्योंकि हमारे पास कोई रिपोर्ट ही नहीं आई है । इसके अलावा जब कि काम चल रहा है बीच में कुछ कहना मुनासिब नहीं है । अब तक भी उन्होंने जो कुछ बातचीत की है, उसकी तफसील और बरबैटिम रिपोर्टस् हजारों सफहों की हैं ।

Shrimati Ila Palchoudhuri: Is it a fact that the teams are supposed to adjourn for a period and then reassemble to give their final decision? In that case, when they adjourn, what is the new material that they expect to examine?

Shri Jawaharlal Nehru: They have adjourned in the past. They are meeting now. There is no present proposal for them to adjourn now. They will go on till they finish the job. That is the idea.

Shrimati Mafida Ahmed: May I know whether Government have any indication from the official talks whether MacMahon Line will be accepted by China as boundary between India and China?

Mr. Speaker: It is too premature to say.

Shri Jawaharlal Nehru: I cannot deal with such questions. They will enter into the subject of the talks.

Mr. Speaker: Why not we wait till the report is received?

Shri Hem Barua: May I know whether the attention of Government has been drawn to a television interview given by Mr. Chou-En-lai to British correspondent where he has made specific accusations against India of intransigence, of provoking armed conflicts with China, of making territorial aggression against China, and if so, what steps Government have so far taken to put the record straight?

Shri Jawaharlal Nehru: I have seen this statement as reported in the press. That is a repetition of what has been said on behalf of China during the last year or more. The record, so far as we are concerned, has been put straight many times very clearly in the papers that have been placed before the House as well as, I take it, in the discussions that are going and in the examination of evidence between the two official teams.

Shri Vajpayee: May I know why Rangoon has been selected as the next venue for future talks and whether there is any proposal to finalise the talks at Rangoon?

Shri Jawaharlal Nehru: Rangoon is selected for the third series of talks as it was consider convenient. The original suggestion for Rangoon came for us and it was accepted by the Chinese Government. As I said just now in answer to another question, it is hoped, during this Rangoon session of the talks, the examination of all the evidence will be completed and some kind of a report will be presented. That is, the work of the official teams will presumably be over by then.

श्री प्रकाशवीर शास्त्री : दोनों प्रतिनिधि-मंडलों की जो बातचीत चल रही है, संभव है कि भारतीय प्रतिनिधि मंडल ने अब तक की बातचीत से प्रधान मंत्री जी को अवगत कराया हो। क्या अब तक की बातचीत से कोई आशा बंधती है कि किसी उचित निर्णयपर पहुंचा जा सकेगा ?

श्री जवाहरलाल नेहरू : मैंने अभी कहा है कि इसका जवाब देना न तो मुनासिब है और न ही मैं इस काबिल हूं कि जवाब दूं, क्योंकि इन आफिशल्ज को यह नहीं कहा गया है—और न उनको अधिकार है— कि वे कोई समझौते की बातचीत करें। एक एक शहादत का जो कागज है, जो कुछ है, उसको वे देखते हैं, जांच करते हैं और दोनों तरफ के आफिशल्ज अपना अपना व्यू-प्वायंट बताते हैं। इन सबको जमा कर के वे हमको बतायेंगे और अपनी राय देंगे कि कैसी शहादत है। समझौता करना गवर्नमेंट का काम है। यह आफिशल्ज का काम नहीं है कि वे बड़े सवालों को हल करने की कोशिश करें।

Shri Surendranath Dwivedy: After the interview of the Chinese Prime Minister with the British journalists, is it the expectation of Government that any worth while results will come out of the talks further?

Shri Jawaharlal Nehru: It has been put twice before and I have answered this question. I will add that it is not a question of any expectation. We are going through a process now of examination through our officials of all the possible evidence on this subject from this side or that side. It is our opinion, it has been of course, that this evidence is fundamentally in our favour. That is our opinion. Otherwise, we would not have taken up the attitude we have done. What the ultimate result will be depends on many factors.

Shri P. K. Deo: In view of the Prime Minister's reply to the previous question that some incursions have taken place pending these talks, may I know if any useful purpose will be served by pursuing these talks further?

Shri Jawaharlal Nehru: Those petty incursions have nothing to do with these talks or, indeed, with any other development there. They are very petty. Not desirable, but very petty all the same. They have nothing to do with wider questions. We cannot function in this way, that is, upset the border policies that have been pursued because some local patrol misbehaved.

Shri Khadilkar: May I know whether the Government, in some measure, shares the optimism expressed by the Burmese Prime Minister U Nu regarding the outcome of these talks and an amicable settlement soon?

Shri Jawaharlal Nehru: I do not think it will be proper for me to discuss even indirectly what our greatly respected friend the Burmese Prime Minister has said on this subject.

Shri Hem Barua: In the light of the interview given by Mr. Chou En-lai to the British correspondent in the television set and in view of the fact, as admitted by the Prime Minister just now, that there has been a systematic campaign on that part of China describing this as a mere dispute, may I know what steps Government have taken to establish that this is not a mere dispute, but this is territorial aggression by China on our country, before the world?

Shri Jawaharlal Nehru: The hon. Member knows that we have discussed this matter many times what we have done and not done. An aggression is also a dispute. The fact that it is referred to as a dispute does not take away from the fact that it may be an aggression. It is obvious that you cannot expect the Chinese Government to admit something that they are holding out against. It is inevitable that they should express their case whenever they have the chance

to do so. They take exception sometimes to what they call a campaign in India against them.

Shri Hem Barua: I want to know whether the word "aggression" is not deeper in connotation than the word "dispute"?

Shri B. Das Gupta: While these deliberations are going on between India and Chinese officials in regard to the Sino-Indian border dispute in Rangoon, the Prime Minister of Burma has come to India and he gave out that he was going to talk to the Prime Minister something regarding the Sino-Indian border dispute. May I know whether he had any talk regarding this or whether that deliberation has any connection with his visit in India?

Shri Jawaharlal Nehru: I have not completely grasped the question, but in so far as I have understood it, I might inform the hon. Member that the visit of the Prime Minister of Burma to India has nothing to do with the talks going between these officials in Rangoon. It was accidental that they were there. Nor indeed did the Prime Minister of Burma and I discuss that matter. It is completely right, of course, as would be in any case if I may so with all respect, for the Prime Minister of Burma to express the hope that this would be settled. That is a sort of thing which all of us always hope. If I have to speak about the Burma-China dispute, I would inevitably say that I hope it would be settled.

Visit of Queen Elizabeth

\+

*3. **Shri Ram Krishan Gupta:**
Shri Raghunath Singh:
Shri Radha Raman:
Shri Kalika Singh:

Will the **Prime Minister** be pleased to state:

(a) whether the programme for visit of Queen Elizabeth has been finalised; and

(b) if so, the details thereof?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Yes.

(b) The Queen's visit to India will be dividend into two parts. She will arrive in Delhi on January 21, 1961 and stay on in India till the 1st February. On the 1st February she will go to Pakistan, returning to India on the 16th February. She will finally leave India on the 2nd March.

In the course of her first stay in India she will visit, in addition to Delhi, Jaipur, Agra, Udaipur and Ahmedabad.

During her second visit she will visit Calcutta, Madras, Bangalore, Bombay, Banaras and finally Delhi again.

Mr. Speaker: The news has appeared already in the newspaper this morning about the details. We will proceed to the next question.

Shri Indrajit Gupta: May I ask one question about something which has not appeared in the papers? May I know whether it is a fact, as reported in the press earlier, that it has been decided that when the President goes in his coach to attend the Republic Day Parade on 26th January, the Queen will accompany him in the Presidental Coach; if so, will that not be a departure from the normal protocol?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): That is correct that it has been so decided. This matters was considered very fully. It has been decided not only in the case of the Queen but as a matter of protocol in the case of all heads of States who may come here in future. In the past one occassion arose when this

matter was not really considered fully, but normally this is the protocol when a head of State comes, and it will be observed in future.

Shri B. K. Gaikwad: What is the amount that Government have provided for the visit of Queen Elizabeth during her stay in India?

Shri Jawaharlal Nehru: That I shall be able to tell the hon. Member after the visit is over.

Tour of Housing and Building Experts

*4. **Shri B. C. Mullick:** Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that India participated in a tour of 14-man party of housing and building experts from Asian and Far Eastern countries to tour Europe on behalf of ECAFE;

(b) if so, who represented India;

(c) whether the party has submitted report to U.N. Economic Council for Asia and Far East (ECAFE); and

(d) what are suggestions made by the visiting party?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) to (d).

A statement giving the required information is laid on the Table of the House. [*See Appendix* I, annexure No. 1].

Shri B. C. Mullick: Have the suggestions made by the study team been examined by Indian experts; if so, has a decision been taken thereon?

Shri Anil K. Chanda: This study tour was organised under the auspices of the United Nations Department of Social Affairs and the ECAFE. The report has been submited to the United Nations. They have not yet discussed it.

Shri Tangamani: Were the suggestions of this study team considered by the Town Planning Ministers of the various States who met in Bangalore recently; if so, what is their reaction to one of the major suggestions, namely that the housing programme instead of being centralised should be entrusted to the local authorities completed?

Shri Anil K. Chanda: I have already said that the report has been submitted to the U.N. They have not yet discussed the report. After it is discussed it will be communicated to the States concerned.

Shri Ram Krishan Gupta: Which were the countries which participated in this conference?

Shri Anil K. Chanda: Cambodia, Ceylon, China, Federation of Malaya, Hon Kong, India, Indonesia, Iran, Japan, Loas, Pakistan and Thailand.

Mr. Speaker: Next question.

Shri B. Das Gupta: Questions 5 and 33 may be taken together as they relate to the same subject.

Mr. Speaker: The hon. Minister can answer both.

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): They are different questions.

Mr. Speaker: Then Question 5 alone will be answered. Unless the hon. Minister agrees, I do not allow both the questions.

Winding up of Ministry of Rehabilitation

*5. **Shrimati Ila Palchoudhuri:**
Shri S. M. Banerjee:
Shri P. K. Deo:
Dr. Ram Subhag Singh:

Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether the work relating to the winding up of the Rehabilitation Ministry has begun;

(b) if so, the progress made so far; and

(c) who will handle the various subjects dealt with by the Ministry so far, specially those relating to refugees from East Pakistan?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) Yes.

(b) and (c). A statement is laid on the Table of the Lok Sabha. [*See* Appendix I, annexure No. 2]

Shrimati Ila Palchoudhuri: Who is to take charge of the homes and infirmaries in West Bengal? Who will take charge of the stipends of Rs. 40 lakhs that are given to the displaced students. Will it be under the Union Ministry or transferred to the West Bengal Education Department? I would like a clarification on that point.

Shri P. S. Naskar: As has been said in the statement laid on the Table, about the financial assistance to the displaced students from East Pakistan, the Ministry of Education will look after the residuary problem. So far as the homes and infirmaries in West Bengal are concerned, we are thinking of transferring the subject to the Ministry of Education.

Shri P. K. Deo: In the statement I do not find any mention of the Dandakaranya Project. May I know if, after the winding up of the Ministry, the expenditure on the Dandakaranya Project will have to be borne by the respective States?

Shri P. S. Naskar: It is true that nothing has been said in the statement about the future of the Dandakaranya Development Authority. At the moment this is under our administrative control. The Dandakarnya project is a long-term project. At the appropriate time it will be handed over to the appropriate Ministry of the Government of India.

Shri S. M. Banerjee: From the statement it appears that the Rehabilitation Departments in Orissa and Tripura have already been closed and the Rehabilitation Department in Bihar will be closed by the end of the financial year. About Bengal and Assam, the statement says the assessment is in hand. I want to know whether the Department or its work is likely to continue in West Bengal and Assam; if so, up to what year.

Shri P. S. Naskar: For the information of the hon. Member I would say that the Estimates Committee in their last report has asked the Ministry to look into the residuary problem in the eastern sector as soon as possible and hand it over to the respective permanent Ministries of the Government of India. As for Orissa, the Department has been closed and the fund has been made available to the Orissa Government for the residuary work. As for West Bengal, the assessment of the residuary work is in hand. As and when the residuary work is assessed, it will be handed over to the appropriate Ministries of the Government of India. I am told that the West Bengal Government may continue their department even after the closure of the Ministry.

Shrimati Renu Chakravartty: Is there any truth in the statement that the sub-divisional and district rehabilitation offices in West Bengal have been asked to close down by 30th November?

Shri P. S. Naskar: I have no information, because that is administered by the West Bengal Government.

Shri S. M. Banerjee: What is the total number of employees whose services are likely to be terminated as a result of this closure? What steps are being taken to absorb them in the Ministries to which the residuary work is being transferred?

Shri P. S. Naskar: There is a separate question on the subject. If it comes up, it will be answered.

Shri S. M. Banerjee: Naturally it follows that it affects equality the employees as well as the Ministers.

Mr. Speaker: What will happen to the employees if the Ministry is wound up?

Shri P. S. Naskar: Is the reference to the State Department or the Ministry of the Government of India? It will be the responsibility of the State Governments to absorb their permanent staff and do what they like with the temporary staff. It is not the concern of the Ministry of Rehabilitation to absorb any employees of the State Rehabilitation Departments.

Shri Vajpayee: What about the employees of the Central Government's Rehabilitation Ministry?

Mr. Speaker: It will be the duty of this Government to absorb them.

Shri Bimal Ghose: The Deputy Minister stated that the department would be closed down as soon as the problem has been assessed. Do I understand that even before the refugees have been rehabilitated the department would be closed down simply because the problem has been assessed?

Shri P. S. Naskar: The residuary problem will be assessed and the residuary work will be handed over to the appropriate permanent Ministries of the Government of India. The department in West Bengal, I am told, will continue even after the Rehabilitation Ministry here is closed.

Shri Chintamoni Panigrahi: The hon. Minister stated that money has been allotted to the Government of Orissa for carrying out the residuary works in connection with the refugees. May I know whether all the demands that the refugees have put forward have been met, and whether the Government of India are going to sanction any more amount for the benefit of these refugees in Orissa?

Shri P. S. Naskar: After consultation with the State Government of Orissa, a sum of Rs. 20 lakhs has been sanctioned to the State Government to solve the problem of residuary work in connection with the refugees in Orissa. As and when a further request comes for further sum, it will be considered.

Prices of cloth

*6. **Shri Rajendra Singh:**
Shri Ram Krishan Gupta:
Shri Tangamani:
Shri D. C. Sharma:
Shri S. A. Mehdi:
Shri P. G. Deb:
Shri S. M. Banerjee:
Shrimati Ila Palchoudhuri:
Shri Sadhan Gupta:
Shri P. K. Deo:
Shri Subiman Ghose:
Shri Harish Chandra Mathur.
Shri Rameshwar Tantia:
Shri Kalika Singh:
Shri Aurobindo Ghosal:
Shri B. Das Gupta:
Shri Indrajit Singh:
Shrimati Renu Chakravartty:
Shri Punnoose:
Shri Wodeyar:
Shri Khimji:
Shri Rami Reddy:
Shri Halder:
Shri Hem Barua:
Shrimati Renuka Ray:
Shri P. R. Patel:
Shri M. M. Gandhi:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the textile industrialists have agreed to the Government's request for a further reduction in cloth prices; and

(b) if so, to what extent?

The Minister of Commerce (Shri Kanungo): (a) and (b). A note giving the required information is placed on the Table of the House.

NOTE

On Government's suggestion, the industry has readjusted the prices of cotton textiles on the basis of a formula announced by the Indian Cotton Mills Federation on 3-9-1960. Under this formula, mills are precluded from charging more than 25% for course, 22% for lower medium, 18% for higher medium, 11½% for fine and 9% for super-fine varieties over the August 1959 contract prices as the base. Wherever the existing contract prices were lower, the cloth would

continue to be sold at the lower prices. This represents a deninite reduction from the prices announced by the Federation on 11th August 1960, which were based on the higher level of prices prevailing in October 1959.

2. The Federation has also asked the mills to stamp ex-mill and retail prices on all cloth, and this is being brought into effect. There is no doubt that the rising trend in prices has been arrested. With the coming in of the new cotton crop, Government has taken steps to ensure that cotton is made available to the mills at reasonable prices, and this is expected to bring about a further improvement in the situation.

Shri Rajendra Singh: From the note attached to the answer, it is apparent that Government depend for the reduction in prices of textiles, entirely on the Indian Cotton Mills Federation. May I know whether Government have relegated all their powers to the mill-owners for giving textiles at reasonable prices to the consumers?

Mr. Speaker: The hon. Member only wants to know whether Government have exercised independent judgment on this matter or left it to them.

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): Yes, we have exercised independent judgment. The hon. Member was present here when a discussion took place for about two hours in this House on this subject. I had indicated that we were going to have a discussion with the Federation and come to some decision. In accordance with that, we have had discussions and arrived at certain decisions which are known to the hon. Members and to the people.

Shri Rajendra Singh: May I know whether Government think that the increased rates which have been agreed upon in consultation with the Indian Cotton Mills Federation are reasonable for the consumers?

Shri Lal Bahadur Shastri: I had already stated that the increase made was not reasonable, but the reductions made later, although they did not satisfy me fully, were definitely substantial and were an improvement on the past reduction.

Shrimati Renu Chakravartty: Now that new cotton crop is coming in, and Government say that they are going to take steps to ensure that cotton is made available to the mills, and that will bring about a further improvement, may I know whether no other step is going to be taken by Government to see that this particular formula is further reduced?

Shri Lal Bahadur Shastri: We expect that the prices will go down when adequate quantity of cotton is available. Cotton comes generally by the end of November in the market; and it is already coming, but all the varieties come by the end of November. Therefore, it is expected that the prices will definitely go down, because cotton is the main factor.

Shrimati Ila Palchoudhuri: May I know whether it is not a fact that the mill-owners have objected to the retail price being stamped on the cloth, for, they fear that if it is stamped, it will go into the blackmarket? In that case, what steps will Government take to prevent its going into the blackmarket, thereby making the situation still more acute for the consumer?

Shri Lal Bahadur Shastri: The hon. Member is not correctly informed. The mill-owners have never objected to the stamping of the cloth. In fact, it is already being done.

Pandit D. N. Tiwari: May I know whether instances have come to the notice of Government where the prices stamped on the cloth are higher than what they should be, and this has been reported in the press also?

Shri Lal Bahadur Shastri: No, as far as I am aware, that is not correct.

Shri Rami Reddy: May I know whether Government are aware that the wholesalers and retailers are

possessed of huge stocks even before the mills have decided to stamp the prices on the cloth, and if so, whether they are disposing of the stocks in the blackmarket, and if that is correct, whether Government are taking any steps to see that these stocks are sold at the stamped prices?

Shri Lal Bahadur Shastri: No, Sir. It is true that till now, or till about a fortnight or so before, there were adequate stocks in the hands of the wholesalers, that is, stocks which were not stamped; they have been sold and they are being sold. But those stocks are now coming to an end, and already the stamped cloth is being sold in the open market.

Shri Tyagi: Will this reduction of price be effective only on cloth meant for internal consumption, or also on that cloth which is exported, because we are meeting quite a sharp competition from outside?

Shri Kanungo: Export prices cannot be controlled by us; they depend upon the international prices. There is no question of stamping there; it is a question of negotiations and contracts.

Shri Tyagi: I did not mean stamping. I wanted to know the rate of reduction agreed to.

Shri Kanungo: Obviously, our internal prices are higher, and the international export prices are lower; and certain varieties are moving at lower prices for export, because the cess and other factors are not counted there.

Shri Tangamani: May I know whether Government will request the Indian Cotton Mills Federation to reduce the prevailing prices which are normally 25 per cent. more than the prices in existence in August, 1959? May I also know what steps the South Indian mill-owners have taken in this matter, not only regarding coarse cloth but also regarding coarse yarn?

Shri Lal Bahadur Shastri: Almost all the South Indian mills have accepted the formula proposed or agreed to by the Federation. There are a few mills—I do not know the exact number—about three or four miles, I think, which have not accepted that, and the Cotton Mills Federation is dealing with them. In case they do not agree to accept these proposals, we shall consider what steps should be taken in that regard. As regards yarn, the decision of the Cotton Mills Federation has been accepted by almost all the mills.

Shri Braj Raj Singh: The Minister has expressed the hope that after the coming in of the new cotton crop, the prices of cloth may go down. May I know whether Government are going to take any concrete steps to compel the millowners to reduce the prices when the cotton crop comes in in the market?

Shri Lal Bahadur Shastri: Well, we shall compel; of course, compulsion means introduction of control and rationing. I might inform the House that we are already considering over that matter. But if the situation improves on account of adequate quantity of cotton being available, the question of introduction of control or rationing may not arise at all.

Shri Braj Raj Singh: On a point of clarification. In the discussion which was held earlier in this House, to which the hon. Minister has just now referred, he said that apart from rationing and control, there were so many other powers in the armoury of Government to compel the millowners to abide by their wishes. May I know what has happened to those powers which are there lying in the armoury of Government, other than rationing and control?

Shri Lal Bahadur Shastri: Probably, the hon. Member has forgotten what I had said during the last discussion. Anyhow, as I said, so far as the availability of cotton is concerned, we have taken definite measures and we have got powers now to requisition cotton in order to supply cotton to the

textile mills. That step, I am sure, will prove, and has already proved, sufficiently effective. Hon. Members have to wait unless they want Government to take some measures immediately. If hon. Members so want it, I personally cannot agree to it, because the time factor is so small; the end of November is not far off. And we may prepare ourselves and take necessary action in case the prices do not come down, say, some time in the month of December.

Shri Sinhasan Singh: I would like to draw the attention of the hon. Minister to a statement made by Shri T. T. Krishnamachari when he was Finance Minister while enhancing the excise duty, to the effect that that duty did not necessarily fall entirely on the consumer. He said that part of it would be borne by the millowners, part by the middlemen and the rest would be paid by the consumer. Now the prices have been marked on the cloth and the excise duty is separately marked on every piece and is being charged to the consumer direct in full. May I know whether Government are considering taking any steps to see that the excise duty is shared equally by all the parties?

Shri Kanungo: The excise duty is included in the price which is stamped.

Shri Sinhasan Singh: No, no. It is separately marked and the consumer has to pay it in full.

Mr. Speaker: Let us not argue about it. I allowed a two-hour discussion on this subject last time. Therefore, no more discussion or supplementaries will be allowed.

Shri Tyagi: With a view to effect a substantial reduction in the price of cloth, have Government examined the feasibility of the device of automatisation and rationalisation in the industry?

Shri Lal Bahadur Shastri: That is a bigger question. We have already allowed automatic looms to a number of mills. But I am sorry that all the allotments made so far have not been fully utilised; only some of the mills have already utilised those allotments.

I might only add that the position in regard to prices of cloth has definitely eased. It is much better now. The rise has been arrested and in the case of fine and superfine cloth, the price has definitely gone down; as regards the coarse and medium varieties, it is reported—but I do not want to say it categorically—that the position is much better. It is slightly better than what it was before.

Mr. Speaker: Hon. Members have heard the hon. Minister say that by the end of this month, the matter will settle down. If it is not so, we will still carry on till about the 22nd of December or so. Then I will certainly allow an opportunity to ask questions to clarify these matters or bring it up in any other form in this House if nothing happens by the end of this month.

Integration of Dadra and Nagar Haveli

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*7. **Shri Shree Narayan Das:**
Shri Radha Raman:
Shri D. C. Sharma:
Shri Nardeo Snatak:
Shrimati Ila Palchoudhuri:
Shri Subiman Ghose:
Shri Rameshwar Tantia:
Dr. Ram Subhag Singh:
Shri Ajit Singh Sarhadi:
Shri B. Das Gupta:
Shri Aurobindo Ghosal:
Shri Jaganatha Rao:
Shri Kodiyan:
Shri Wodeyar:
Shri Goray:
Shri Achar:
Shri Assar:
Shri Hem Barua:
Pandit D. N. Tiwari:

Will the **Prime Minister** be pleased to state:

(a) whether the question of integration of the liberated enclaves of Dadra and Nagar Haveli with the Indian Union has since been considered by the Government; and

(b) if so, with what result?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) Yes.

(b) Government have decided not to accept at present the request by the Varishta Panchayat of Dadra and Nagar Haveli to integrate the enclaves with the Indian Union for the present.

Shri Shree Narayan Das: In view of the fact that a request has been made, what are the impediments in the way of acceptance of the request?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): There are no major impediments. There are some difficulties which, if we so choose, can be got over. But after having fully considered the matter, we thought it would not be desirable at present to do this. As a matter of fact, this area is doing very well. They asked for technical assistance. We sent a high-level officer there to give his report. He has reported. It is rather doing well. We have sent that report with our own advice to them. It is functioning well, and we do not see why we should at this stage take any other step in the matter. It is entirely for us to decide when we shall take it.

Shri Shree Narayan Das: The hon. Prime Minister has said that some officials have been sent to work there. I would like to know whether they are working on behalf of the Government of India or they will be under the pay of the local authorities.

Shri Jawaharlal Nehru: I do not think any official has been sent except, as I said, that an official was sent to report. He has reported, and he has come away. Whoever works there is paid by the local authorities there.

Shri Hem Barua: Are Government aware of the fact that the judgment of the International Court was interpreted by Portugal as a mark of victory in their favour and they indulged in fireworks in celebration of that victory? If so, is this one of the reasons for the Government's want of decision to integrate these two areas in Indian Territory?

Shri Jawaharlal Nehru: That had nothing to do with it. It may interest the hon. Member to know that perhaps the Portuguese Government started celebrating their victory even before the judgment was delivered.

Shri Hem Barua: There were fireworks also.

Shri Jawaharlal Nehru: Yes. They were prepared for that.

Raja Mahendra Pratap: A year ago I proposed that India and Portugal should enter into a special treaty under which we would colonise Angola and Mozambique. Have Government considered this proposal? We should think of bigger things and not about these little petty things.

Shri H. N. Mukerjee: Without full-scale integration, the residents of these areas who have every right to all the citizenship implications of our country will be left by us in the lurch, so to speak. May I know why we should do so when they have successfully resisted and thrown overboard the Portuguese occupation regime?

Shri Jawaharlal Nehru: It is obvious that this area will be integrated into India....

An Hon. Member: Why not now?

Shri Jawaharlal Nehru: The question is, at what time we should do it, to the best advantage of those people there, to our advantage and that of the other causes—connected matters. They are not losing anything. The hon. Member talked about citizenship privileges etc. They have not got one privilege, that is, to exercise their vote for Parliament, or if they are in Gujarat, for the Gujarat Assembly. That is true. For the rest, they are doing rather well, and we thought that if this small area was absorbed, it would be lost in the sea of humanity all round and would not be able to make that rather definite progress that it has made.

Shri Sadhan Gupta: Why not subsidise it?

Shri Jawaharlal Nehru: So we thought that it might continue as a village panchayat or village republic. It is rather an interesting experiment.

Heavy Electrical Projects

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*8. **Shri Radha Raman:**
Shri Shree Narayan Das:
Shri A. M. Tariq:
Shri D. C. Sharma:
Shri Prakash Vir Shastri:
Shri Ram Krishan Gupta:
Shri Warior:
Shri Vasudevan Nair:
Shri T. B. Vittal Rao:
Shri Morarka:
Shri Vidya Charan Shukla:
Shri Ajit Singh Sarhadi:
Shri Kodiyan:
Shri Khimji:
Shri N. R. Muniswamy:
Shri A. K. Gopalan:
Shri Rami Reddy:
Shri Maniyangadan:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the delegation which visited the Soviet Union and Czechoslovakia to finalise arrangements for the setting up of two heavy electrical plants in collaboration with the two countries has returned and submitted its reports; and

(b) if so, the important features of the reports?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The delegation visited the Soviet Union and Czechoslovakia between 29th September, 1960 and 19th October, 1960. There will be no formal report from the delegation as such but their studies will be helpful in drawing up the details of the projects in consultation with the experts of the foreign collaborators.

Shri Radha Raman: May I know whether the Government of India have already decided upon their location and whether the delegation which went for collaboration with these two countries have mentioned some specific points to be taken into consideration before proceeding with the establishment of these two plants?

Shri Manubhai Shah: As far as the second part of the question is concerned, the delegation has greatly benefited by visiting the actual factories with which we are collaborating. In the light of that, the programme will be considerably revised and modified.

As far as the location is concerned, it will only follow after the project has been drawn up; and the technical committee of the Heavy Electrical Projects Ltd., have been asked to select sites.

Shri Radha Raman: If the Government of India undertakes these two projects with the collaboration of these two Governments, what will be the total amount required for these two projects? How will it be shared by the three Governments?

Shri Manubhai Shah: As far as the total estimates are concerned, the Soviet Project might cost us a total investment of about Rs. 50 crores and the Czech project might cost us about Rs. 40 crores. There is no sharing between the two countries except the technical know-how and the foreign exchange credit. As the House is aware, the Soviet Union has offered us three credits in which this will be accommodated; and the Czech Government has offered one in which this will be accommodated.

Shri Shree Narayan Das: How long will it take to finalise these projects?

Shri Manubhai Shah: It should not take more than 3 to 4 months.

Shri T. B. Vittal Rao: Has any team or firm of experts been entrusted with the preparation of the project reports for these two heavy electrical plants?

Shri Manubhai Shah: As a matter of fact, the broad details have already been finalised. The Delegation went

in order to re-check the details further. It should not take us more than 3 months. The turbines, the alternators and various other heavy electrical equipment are properly dealt with in the project report.

Shri Thirumala Rao: The hon. Minister was pleased to say that there was no formal report from the Delegation; and he also said that the Delegation benefited. Has the benefit derived by the Delegation duly transferred to the files of the Government of India?

Shri Manubhai Shah: A formal report is something which is submitted to Government. However in this case, in the light of the observations made by the different members, the entire projects and details will be considered in the light of their studies.

Shri Thirumala Rao: Will they take us into confidence and show us the reports also?

Shri Manubhai Shah: I submit this is not a matter of any report of a formal nature. The technical experts of the Government of India who went into this Delegation studied from different angles what those countries are producing and what is best for us. In the light of that, the project reports finally drawn up will be prepared and those reports will be before the House.

श्री प्रकाश वीर शास्त्री : क्या मैं जान सकता हूं कि यह भारी विद्युत उपकरण तैयार करने के कारखाने भूपाल के अतिरिक्त भारत में और किन किन स्थानों पर खोले जायेंगे ? क्या ऐसी कोई योजना विचाराधीन है ?

श्री मनुभाई शाह : यही तो मैंने बतलाया कि दो कारखाने एक उत्तर में और एक दक्षिण में लगाये जायेंगे ।

श्री प्रकाश वीर शास्त्री : क्या उनके वास्ते जगहें तय हो गई हैं ?

श्री मनुभाई शाह : जगह अभी तय नहीं की गई है ।

Shri D. C. Sharma: May I know if these electrical plants will duplicate the work that is already being done in Bhopal or will they chalk out any kind of advancement?

Shri Manubhai Shah: We will not duplicate as such; but we will augment the production of the heavy electricals for the country so that by the end of the Third Five Year Plan we could satisfy about 75 per cent. of the national requirements of heavy electricals of all sorts.

Shri Ajit Singh Sarhadi: May I ask if the views of the different States about the claims are being invited before the location is decided upon?

Shri Manubhai Shah: Now-a-days, as the hon. Member knows, no invitation is necessary. Continuous requests come to us from every State for practically all the projects.

Shri Ajit Singh Sarhadi: I ask about claims. My question is, have the views of the different States about their claims been invited to decide about the location.

Shri Manubhai Shah: There is hardly any question of claims. The projects are established according to national policy. For location we always prefer subject to technical and economic considerations as far as possible, backward regions or avoid such places where there is already industrial congestion or the location of heavy industries already.

Shri Ram Krishan Gupta: The hon. Minister said that one will be located in Northern India. May I know whether any place has been selected?

Shri Manubhai Shah: No, Sir.

श्री म० ला० द्विवेदी : मैं यह जानना चाहता हूं कि क्या निजी उद्योगपतियों से भी कुछ ऐसे सुझाव आये हैं कि वह इलेक्ट्रिकल प्लांटस खोलेंगे और यदि हां, तो क्या सरकार सुझाव आने पर उनकी मदद कर सकेगी और जो लोग रूस और जेकोस्लोवाकिया विजिट करने गये थे क्या

उनकी राय भी उनको उपलब्ध हो सकेगी ?

श्री मनुभाई शाह : जी हां, यह बात है कि बहुत से खानगी क्षेत्रों से प्राईवेट सैक्टर से बहुत से प्रपोजल्स् आये हैं और हमारा इरादा है कि एक दफा तीनों प्रोजक्ट्स के दरमियान एक मर्यादा तय की जाये और उस के बाद जो जो खानगी क्षेत्र के प्रपोजल्स् हों और उन में भी बनाने की गुंजाइश हो तो उनको भी देखा जाय और उनको मंजूर करने की कोशिश की जाये ।

Shri Morarka: The hon. Minister said just now that the Soviet Plant is going to cost Rs. 50 crores and the Czech. plant Rs. 40 crores. May I know how the final cost is going to be determined—about the imported equipment? Would there be global tenders or would it be by a committee of experts? How are they going to determine the cost of the equipment?

Shri Manubhai Shah: As the House is aware, these are all tied-up credits. But that does not mean that we do not have comparative studies of capital goods and equipment from different countries. We have acquired enough experience to have a broad comparison. Even though we have to buy some of the equipment from those countries which offer the credit, those have very reliable comparative ideas of cost of all these capital goods.

Shri A. K. Gopalan: May I know whether there was any request from the Kerala State to locate this in that State since it is industrially most backward? Will that be considered?

Shri Manubhai Shah: I have told already that every State has requested us for all the projects. We consider the claims of every State properly.

Shri Vidya Charan Shukla: The policy of the Government of India is to locate these plants in backward areas. May I know how a backward area is officially defined?

Shri Manubhai Shah: I said, backward areas preferably and to avoid industrially congested areas positively. These are well-known terms and it should not be difficult to pick out these areas.

Shri Vidya Charan Shukla: The Planning Commission has not been able to define officially what a backward area is. On what basis are areas regarded backward?

Mr. Speaker: They may not define; but they know what is backward.

Shri Ansar Harvani: May I know whether the machinery will be imported by the Government itself or will the services of established importers be utilised?

Shri Manubhai Shah: That is a transaction between government to government; so the question of utilising the agency of established importers hardly arises. These are contractual obligations.

Raja Mahendra Pratap: Have Government considered whether it will be better to have these industries at Amritsar, Mathura, Buddha Gaya and Ajmer—pilgrim places?

Mr. Speaker: These are suggestions for action. The hon. Minister may note them.

Education for Safety in Mines

***9. Shri T. B. Vittal Rao:** Will the Minister of **Labour and Employment** be pleased to state:

(a) whether the Committee on Safety Education and Propaganda has submitted its report;

(b) if so, what are the salient features of the report;

(c) whether Government have examined the same; and

(d) when action is likely to be initiated for the formation of a National Mines Safety Council as recommended by the above Committee?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) Yes.

(b) The Committee has recommended certain measures for the promotion of safety through education and propaganda and has suggested that these measures should be entrusted to a National Mine Safety Council constituted for the purpose.

(c) Yes.

(d) The views of the employers', workers' and Mines Managers' organisations, etc., are being ascertained in the first instance.

Shri T. B. Vittal Rao: May I know whether this report of the committee was circulated to the workers' organisations?

Shri L. N. Mishra: It was recently circulated; and we expect their report within a month's time.

Shri Inderjit Gupta: May I know whether it is the report of the Chief Inspector of Mines that the accident rate in mines is going on increasing steadily and there are about over 400 cases of fatal accidents on an average every year? If so, what does Government propose to do to deal with this matter, apart from setting up this National Mines Safety Council?

Shri L. N. Mishra: I could not follow the question.

Mr. Speaker: He says that there are as many as 400 accidents or so. Apart from setting up this National Safety Council, are there any special steps being taken to avoid such accidents? Is that the question.

Shri Indrajit Gupta: Yes, Sir.

The Minister of Labour and Employment and Planning (Shri Nanda): This was one of the many steps which had been considered and decided upon—and some of them adopted as a result of the conference on 'Safety' which was set up a year and a half ago. So, this is not the only step.

Shri S. M. Banerjee: There were many incidents recently and within 2 or 3 years and there were many enquiries. But apart from this, what positive steps have been taken to prosecute the employers who did not actually conform to the Safety Rules? Has any prosecution been launched recently?

Shri Nanda: Yes, Sir. Prosecutions are certainly launched wherever there are violations of the rules and prosecutions can be launched.

Shri S. C. Samanta: May I know whether the Steel, Mines and Fuel Ministry has sent its comment on the recommendations of this Committee and whether it will take any part in forming these safety councils?

Shri L. N. Mishra: We have sent the report to them also.

WRITTEN ANSWERS TO QUESTIONS

Pamba-Kakki Project

*10. **Shri Kunhan:** Will the Minister of **Planning** be pleased to refer to the reply given to Starred Question No. 366 on the 12th August, 1960 and state:

(a) whether the Pamba-Kakki project in Kerala has been processed by the Planning Commission and Ministry of Finance;

(b) whether any decision has been taken in regard to the commencement of the work; and

(c) if so, what is the nature of the decision?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) Yes, Sir.

(b) and (c). A copy of the letter issued to the Kerala Government is placed on the Table of the House. [*See* Appendix I, annexure No. 3].

Fund for Assisting the Unemployed

*11. **Shri D. C. Sharma:**
Shri A. M. Tariq:
Shri Ram Krishan Gupta:
Shri Ajit Singh Sarhadi:

Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Starred Question No. 3 on the 1st August, 1960 and state:

(a) the progress made so far in the proposal to create a fund at the Centre and in the States for assisting the unemployed; and

(b) when it is likely to be put in practice?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). The proposal to create a Fund to assist in the avoidance of unemployment by closures and for rehabilitating those affected by closures is still under examination.

Import of Manganese Dioxide

*12. **Shri Chintamoni Panigrahi:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether an import licence for 6,000 tons of Manganese Dioxide was issued to National Carbon Company of India Ltd.;

(b) if so, whether Government verified that this particular grade of Manganese Dioxide was not produced in India; and

(c) what is the foreign currency involved in this licence?

The Minister of Commerce (Shri Kanungo): (a) to (c). The hon. Member has not specified the licensing period. Messrs National Carbon Co. of India Ltd. (M/s. Union Carbide) are being allowed to import in bulk manganese dioxide for the last few licensing periods for their own consumption as well as for processing and re-export to their factory in Singapore. This particular grade of manganese dioxide is not available in the country. A part of the foreign exchange involved is recouped by re-export of the processed product.

Movement of D.P.s to Dandakaranya

*13. **Shri Yadav Narayan Jadhav:**
Shri Chintamoni Panigrahi:

Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) whether it is a fact that recently a meeting of Union Minister of Rehabilitation and Chief Ministers of West Bengal, Madhya Pradesh and Orissa was held and the movement of refugees to Dandakaranya was discussed thereat;

(b) what were the main conclusions reached at this meeting; and

(c) what steps Government is planning to take in the light of the conclusions reached?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) Yes. The movement of families from camps in West Bengal to Dandakaranya was one of the items discussed.

(b) and (c). A statement giving the information is laid on the Table of the Sabha. [*See* Appendix I, annexure No. 4].

Trespass by Pakistan's

*14. **Shri A. M. Tariq:** Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 152 on the 4th August, 1960 and state:

(a) whether any further reply has been received from the Pakistan Government regarding the trespass by Pakistanis into the Indian territory at Radhanagar on East Pakistan border on the 16th May, 1960; and

(b) if so, details thereof?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b). No, Sir. At the monthly conference of the District Officers of Tripura and East

Pakistan in July it had been decided to hold a Joint enquiry at the Sub-divisional Officers' level. This has not yet taken place. Last month, an Aide Memoire was presented by our High Commissioner to the Pakistan Foreign Office urging them to agree to an early enquiry.

Second Five Year Plan

*15 **Shri Goray:**
Shri Supakar:

Will the Minister of **Planning** be pleased to state:

(a) what is the extent of gap between the target laid down by the various States in respect of Second Five Year Plan and their achievements; and

(b) what steps Government are taking to make good the shortfall?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). It will only be after the completion of the Second Plan that it will be possible for the Planning Commission, in consultation with State Governments, to present a report assessing the extent of the gap between the targets and achievements in different sectors in the States.

Indian Businessmen in Tibet

*16. **Shri Mohan Swarup:**
Shri P. K. Deo:
Shri Rameshwar Tantia:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that the Chinese have imposed an extraordinary tax on every Indian businessman in Tibet;

(b) whether it is a fact that this tax is being collected with retrospective effect from the time the Chinese took possession of Tibet; and

(c) if so, what steps have been taken by Government to safeguard the interests of the Indian businessmen in Tibet?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) and (b). Yes, Sir.

(c) The Consul General of India at Lhasa has made representations to the Bureau of Foreign Affairs. So far the representations have not yielded any result.

A.I.R. Transmitter at Raipur

*17. **Shri Vidya Charan Shukla:** Will the Minister of **Information and Broadcasting** be pleased to refer to the reply given to Unstarred Question No. 710 on the 12th August, 1960 and state:

(a) whether suitability of Raipur for the setting up of a medium wave transmitter for opening an All India Radio Station has been examined;

(b) if so, the particulars thereof;

(c) when it is likely to be established; and

(d) the action taken so far and the present stage?

The Minister of Information and Broadcasting (Dr. Keskar): (a) to (d). In the plan of setting up additional medium wave transmitters, it is proposed to set up a transmitter at Raipur also. The question of site for the location of the transmitter, the power supply and other particulars are at present being finalised. It is hoped to settle them by the end of this month.

Revision of U.N. Charter

*18. **Shri Harish Chandra Mathur:**
Shri Prakash Vir Shastri:
Shri P. K. Deo:
Shri Hem Barua:
Shri B. C. Kamble:
Shri M. K. Kumaran:

Will the **Prime Minister** be pleased to state:

(a) whether Government have considered the necessity of (i) revision of

U.N. Charter; and (ii) changes within its framework;

(b) whether reaction of other countries, particularly Socialist countries is known; and

(c) the main changes that are sought by U.S.S.R., in particular?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) For some time past the Government of India have felt that the structure of the United Nations requires change in some respects. The need for this change has grown as more and more Asian and African countries have come into the United Nations. At present their representation in various organs, and more especially in the Security Council, is limited. The Government of India think that this representation should be made more effective.

Government, however, did not press for this change as it appeared that any attempt to amend the Charter especially would raise controversial issues and might not get the required unanimity from among the permanent members of the Security Council. The need, however for such change has become more and more apparent during the recent session of the General Assembly of the U.N.

Certain changes even within the present framework of the U.N. are also desirable with a view to associate various elements in it.

(b) and (c). Broadly speaking, the reactions of other countries to these questions are known. But the matter has not been gone into in any detail. So far as the Socialist countries and, in particular, the U.S.S.R. are concerned, great stress was laid during the present session of the General Assembly in regard to a change in the structure involving the position of the office of the Secretary General.

Sindri Fertilizer Factory

*19. **Shri Ajit Singh Sarhadi:**
Shri Aniruddh Sinha:

Will the Minister of **Commerce** and **Industry** be pleased to refer to the reply given to Starred Question No. 257 on the 9th August, 1960 and state:

(a) what steps have since been taken to eliminate the shortfall in Sindri Fertilizer Factory and to step up the production;

(b) whether any progress has been made; and

(c) if so, to what extent?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) to (c). A statement is laid on the Table of the Sabha.

Statement

Arrangements have been made for regular supply of coals in the required quantities and qualities to make proper blends for manufacture of coke.

A programme of systematic overhauling of gas generators has been drawn up. One generator has already been overhauled and work on others is to be taken up one by one as components and spares required for replacement are received against orders already placed.

An additonal gas generator is under erection and is expected to be commissioned in six months

There has been some improvement in the production during October, 1960.

Export of Iron Ore

*20. **Shri Aurobindo Ghosal:** Will the Minister of **Commerce** and **Industry** be pleased to state:

(a) whether the Geological Mining and Metallurgical Society have suggested stoppage of export of iron ore containing 65 per cent of iron; and

(b) if so, the reasons therefor?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir; the suggestion was made by the Society at a meeting of the Mineral Advisory Board.

(b) The Society was under the impression that only 65 per cent grade of iron ore was being exported.

खाली सरकारी फ्लैट

*२१. श्री प्रकाश वीर शास्त्री :
श्री राम कृष्ण गुप्त :
श्री हेम राज :
श्री वैं० च० मालिक :

क्या **निर्माण, आवास और संभरण** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पूर्व विनय नगर, नई दिल्ली में लगभग २० रिहायशी फ्लैट, जो केन्द्रीय लोक निर्माण विभाग द्वारा एक वर्ष से भी अधिक समय पूर्व तैयार किये गये थे, अभी तक सरकारी कर्मचारियों को नहीं दिये गये हैं ;

(ख) यदि हां, तो इस के क्या कारण हैं;

(ग) क्या यह भी सच है कि कुछ दूधियों ने इन फ्लैटों पर अनधिकृत रूप से कब्जा कर लिया है और वे वहां अपने पशुओं सहित रह रहे हैं ; और

(घ) यदि हां, तो उन फ्लैटों को खाली करवाने और सरकारी कर्मचारियों को देने के लिये क्या पग उठाये गये हैं अथवा उठाने का विचार है ?

निर्माण, आवास और संभरण उपमंत्री (श्री अनिल कु० चंदा) : (क) और (ख). ईस्ट विनय नगर (लक्ष्मी बाई नगर) में चौबीस मकान, जो केन्द्रीय सरकारी निर्माण विभाग न गन्दी बस्ती सफाई योजना के अन्तर्गत दिल्ली विकास अधिकारी (दिल्ली डैवलपमेंट अथौरिटी) दिल्ली नगर निगम की ओर से बनाये थे, नगर निगम द्वारा चमार, नाई इत्यादि जैसे सामुदायिक सेवा करने वाले उन लोगों को देने के लिए यथावृत् प्रस्तुत किये गये थे, जिन्होने उस सरकारी बस्ती में या उस के आस पास सरकारी या सार्वजनिक भूमि पर अनधिकृत रूप से कब्जा किया हुआ था, या जो गन्दी बस्तियों में रह रहे थे । परन्तु अभी तक उन में कोई भी नियतन (अलौटमेंट) को स्वीकार करने के लिए आगे नहीं आया है ।

(ग) जी, नहीं ।

(घ) प्रश्न नहीं उठता ।

Export of Textiles to Ceylon

*22. **Shri N. R. Muniswamy**: Will the Minister of **Commerce and Industry** be pleased to state what is the impact on the export of textiles from India to Ceylon as a result of Ceylon Government's curb on textile imports?

The Minister of Commerce (Shri Kanungo): Consequent on the restrictions imposed by the Government of Ceylon on the import of textiles, the Indian exports of cotton textiles to that country have registered a fall as compared to the 1958 figures. The short-fall in exports has been of the order of about 3 to 4 million yards.

Motor Tyres and Tubes

*23. **Shrimati Mafida Ahmed:**
Shri Jaganatha Rao:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) the total number of motor tyres and tubes that the State Trading Corporation purchased from China till the end of September, 1960; and

(b) whether it is a fact that the Madhya Pradesh Government has complained of having suffered loss on account of inferior quality of these tyres and tubes?

The Minister of Industry (Shri Manubhai Shah): (a) The State Trading Corporation purchased 6,290 sets of tyres and tubes from China till 30th September, 1960.

(b) No specific complaint from Madhya Pradesh Government regarding any losses suffered on account of

inferior quality of Chinese tyres and tubes has been received either by us or by State Trading Corporation.

All India Handicrafts Board

*24. **Shri Hem Barua:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that a seminar of the Eastern region of the All India Handicrafts Board on the development of handicrafts co-operatives held at Ranchi during September, 1960 has recommended that in each State all primary handicrafts co-operative should be federated into one State marketing society to undertake the procurement and distribution of raw materials, secure orders and hold responsibility for quality control, market research, publicity and export etc.; and

(b) if so, what is the reaction of Government to this suggestion?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) The recommendations of the All India Handicrafts Board on the suggestions made by the Regional Seminar on handicrafts co-operatives held at Ranchi in September, 1960, have not been received so far. These will be considered as and when these are received by Government.

Goan Political Prisoners in Portugal

*25. **Dr. Ram Subhag Singh**
Shri Padam Dev:
Shri Raghunath Singh:
Shri Ram Garib:

Will the **Prime Minister** be pleased to state:

(a) whether Government are aware that Shri Mohan Ranade, an Indian citizen, serving sentences in Goa Jail in connection with Goa Freedom Movement and several other political prisoners have been sent to Portugal; and

(b) whether Government have received any information about their condition?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) and (b). Government have seen reports in the press that Shri Mohan Ranade an Indian serving a sentence in jail in Goa and some Goan prisoners have been sent to Portugal. Government have no information in the matter but have asked the U.A.R. Government which looks after Indian interests in Portugal and the Portuguese possessions in India to institute immediate enquiries and to furnish whatever information is available. Naturally, Government view with grave concern any deportation of Indians and Goan political prisoners to prisons in Portugal.

P.M.'s Visit to Pakistan

*26. **Shri P. G. Deb:**
Shri S. A. Mehdi:
Shri S. M. Banerjee:
Shri D. C. Sharma:
Shri Prakash Vir Shastri:
Shri Nardeo Snatak:
Shri Shree Narayan Das:
Shri Radha Raman:
Shri Ram Krishan Gupta:
Shri Subiman Ghose:
Shri Supakar:
Dr. Ram Subhag Singh:
Shri Sadhan Gupta:
Shri P. K. Deo:
Shri Bishwanath Roy:
Shri Rameshwar Tantia:
Shri Sarju Pandey:
Shri Harish Chandra Mathur:
Shri M. B. Thakore:
Shri Ajit Singh Sarhadi:
Shri Wodeyar:
Shri Aurobindo Ghosal:
Shri Assar:
Shri Hem Barua:
Shri Hem Raj:

Will the **Prime Minister** be pleased to state:

(a) what were the subjects discussed during his visit to Pakistan in the 3rd week of September, 1960;

(b) whether Kashmir was discussed; and

(c) whether the questions of joint defence and construction of Mangla Dam were also discussed?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) Our discussions were generally and broadly concerned with Indo-Pakistan financial and borders questions, evacuee moveable property, cooperation between India and Pakistan on scientific and technical matters, exchange of information on projects for utilizing water resources of the common rivers in India and East Pakistan, trade, development schemes and current international questions. A copy of the joint communique issued in Lahore on September 23, 1960, on the conclusion of my five-day visit to West Pakistan, is laid on the Table of the House. [*See* Appendix I, annexure No. 5].

(b) We had a frank and friendly discussion about Kashmir in which each side put forward its views. While the discussion did not lead to any precise result, both of us were anxious that the question should be solved.

(c) No.

राजघाट पर महात्मा गांधी स्मारक

*२७. **श्री भक्त दर्शन :**
श्री वी० चं० शर्मा :

क्या **निर्माण, आवास और संभरण** मंत्री २५ अगस्त, १९६० के तारांकित प्रश्न संख्या ७९१ के उत्तर के संबंध में यह बता की कृपा करेंगे कि राजघाट पर महात्मा गांधी का स्मारक बनाने के प्रश्न के संबंध में, जिस पर विचार किया जा रहा था, इस बीच क्या प्रगति हुई है ?

निर्माण, आवास तथा संभरण उपमंत्री (श्री अनिल कु० चंदा) : लट्ठेदार नींवों पर हो रहा काम पूरा हो चुका है । आंगन के चारों ओर की पुश्ता दीवार के नीचे, आंगन में प्रवेश के मार्गों के सिवाय, सर्दल भी रखे जा चके हैं ।प्रवेश मार्गों पर सर्दल रखने का काम मिट्टी की भराई के बाद ही, जिसकी दिसम्बर, १९६० के तीसरे सप्ताह तक पूरा हो जाने की आशा है, शुरू किया जा सकेगा, दीवार की चिनाई औसतन तीन फुट की ऊंचाई तक हो चुकी है । दीवार के सामने की ओर पत्थर लगाने का काम शुरू हो गया है ।

Indian Army men in Congo

*28. **Shri Ram Krishan Gupta:**
Shri Rajendra Singh:
Shri D. C. Sharma:
Shrimati Renu Chakravartty:
Shri Indrajit Gupta:

Will the **Prime Minister** be pleased to state:

(a) the number of Indian armymen sent to Congo to work with the U.N. force there;

(b) whether Government have received further message from U.N. asking for more men to work there with the U.N. force; and

(c) if so, nature of action taken in this regard?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Six hundred and ninety-three.

(b) A further request for ten medical personnel and 15 Military police personnel was received on 27th October.

(c) The Military police personnel have already been despatched. The Medical personnel are also being made available.

Quit Notices to Chinese

*29. **Shri B. C. Mullick:**
Shri Rajendra Singh:
Shrimati Ila Palchoudhuri:
Shri Subiman Ghose:
Shri Hem Barua:
Shri P. K. Deo:
Shri Rameshwar Tantia:
Dr. Ram Subhag Singh:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that Government has received a protest from the Chinese Embassy against the "quit-India" orders served on a number of Chinese;

(b) what are the contents of this protest; and

(c) what steps Government have taken to meet this protest?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) to (c). The Chinese Government have represented against the orders served on some Chinese nationals to leave India. Copies of correspondence exchanged between the Governments of India and China are included in White Paper IV, which will be placed on the Table of the House to-day.

Length of Films

*30. **Shrimati Ila Palchoudhuri:**
Shri Vidya Charan Shukla:
Shri Viswanatha Reddy:
Shri Osman Ali Khan:
Shri Hem Barua:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that a proposal to reduce the length of Indian films to about 10,000 feet is under the consideration of the Government of India;

(b) if so, the details of the proposal;

(c) the nature of benefit which will accrue by curtailing the length of film;

(d) whether the State Governments and the film industry have been consulted in this matter; and

(e) if so, brief details of their reactions?

The Minister of Commerce (Shri Kanungo): (a) to (e). In view of the foreign exchange position, after discussion with representatives of the Government of India, the Film Federation of India agreed to a voluntary cut in the length of films as follows:—

Bombay (Hindi, Gujarati, Marathi etc.)	13,000 ft.
Madras (South Indian languages)	15,000 ft.
Calcutta (Bengali, Assamese, Oriya)	12,000 ft.

The cut in the length of the films will reduce import of raw stock and save foreign exchange. The State Governments were not consulted.

National Income Data

*31. **Shri Shree Narayan Das:**
Shri Radha Raman:

Will the Minister of **Planning** be pleased to state:

(a) whether the Planning Commission has set up a working group to go into the whole subject of national income data and research in relation to economic development and planning; and

(b) if so, the progress made in this regard?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) No, Sir.

(b) Does not arise.

Indian Labour Conference

*32. **Shri T. B. Vittal Rao:**
Shri S. M. Banerjee:
Shri K. T. K. Tangamani:
Shri P. K. Deo:
Shri Wodeyar:
Shri Assar:

Will the Minister of **Labour and Employment** be pleased to state:

(a) the main recommendations made by the 18th Session of Indian Labour Conference; and

(b) the steps Government propose to take for the implementation of the same?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). The discussions in the Conference were confined to the situation created by the recent strike by a section of the Central Government employees. The general consensus of opinion in the Conference was in line with the purpose which Government had in view to render such strikes superfluous.

Retrenched Employees of Ministry of Rehabilitation

*33. **Shri D. C. Sharma:**
Shri Ajit Singh Sarhadi:

Will the Minister of **Rehabilitation and Minority Affairs** be pleased to state:

(a) how many employees retrenched from the Ministry of Rehabilitation have been re-employed in other departments so far; and

(b) how many remain to be employed?

The Minister of Rehabilitation and Minority Affaffirs (Shri Mehr Chand Khanna): (a) 1,557.

(b) 905; some of them may have found alternative appointments through their own efforts; but the number of such persons is not known

Chilka Canal

*34. **Shri Chrintamoni Panigrahi:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Salt Commissioner of the Government of India has asked for any investigation in respect of connecting the Chilka Canal with the nearest existing sea creek by opening a new cut;

(b) if so, whether the investigation has been completed and with what results; and

(c) whether the work will be started soon?

The Minister of Industry (Shri Manubhai Shah): (a) No, Sir.

(b) and (c). Do not arise.

Indians in Congo

*35. **Shri Yadav Narayan Jadhav:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that several Asians including Indians have left Congo due to disturbed conditions there;

(b) if so, what is the total number of such Indians who have left Congo; and

(c) what steps have been taken by Government to recover properties left behind by such Indians?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b). As far as the Government of India are aware, some women and children, about twenty-two in all, left the Congo and came to India. It is understood that they intend to return to the Congo in due course.

(c) None, as no report of any Indian leaving properties in the Congo has been received by the Government of India.

Import of Cars

*36. **Shri A. M. Tariq:**
Shri P. K. Deo:
Shri Aurobindo Ghosal:
Shri B. Das Gupta:
Shri Mahanty:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) the number of cars imported during the years 1959 and 1960 (so far) for the use of the Ministers of the Central and State Governments;

(b) the number of cars allotted to various States; and

(c) the amount of foreign exchange involved in the import of these cars?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the Lok Sabha.

Statement

No cars have been imported for the use of the Ministers of the Central or State Governments during the years 1959 and 1960.

In order to provide facilities for tourists, 60 Plymouth cars in CKD conditions were allowed to be imported. Also in order to meet the small requirements of the Raj Bhavans| State Governments who needed these cars and for the use of foreign dignitaries visiting India, M/s. Premier Automobiles Ltd., Bombay were granted an *ad hoc* licence in December 1959 for a c.i.f. value of Rs. 3·60 lakhs to import 36 Nos. of Plymouth cars in c.k.d. condition. The number of cars released to the different Raj Bhavans|State Governments for the purpose so far is as follows:—

	No. of Cars
Andhra Pradesh	2
Assam	2
Bihar	2
Gujarat	1
Kerala	2
Madhya Pradesh	2
Madras	2
Maharashtra	3
Mysore	2
Orissa	2
Punjab	2
Uttar Pradesh	2
West Bengal	3

Small Scale Industries

*37. **Shri Hem Barua:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that foreign aid for small-scale industries is expected from certain countries;

(b) if so, which are these countries;

(c) whether it is a fact that certain countries have agreed to the diversion of a part of their aid for the purposes of small-scale industries; and

(d) if so, which are these countries?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). A statement is laid on the Table of the House.

The Government of India are receiving assistance from the Technical Co-operation Mission, U.S.A., the Government of the Federal Republic of Germany and the Government of Japan for the Proto type Production-cum-Training Centres for small scale industries at Rajkot, Delhi and Howrah respectively. An offer has been received from the Government of France for a similar Centre at Guindy, Madras. A few other foreign governments have also envinced interest in providing assistance for such schemes and negotiations are still in a preliminary stage. These are cases of direct assistance and the question of diversion of aid does not arise.

A.D.L.F. loan from U.S. for $10 million has been approved for NSIC for hire-purchase of machinery for small scale industries.

Joint Management Councils

*38. **Shri Ram Krishan Gupta:**
Shri Sadhan Gupta:

Will the Minister of **Labour and Employment** be pleased to state:

(a) whether the Union Ministry of Labour has initiated a move to persuade more industrial establishments to set up joint management councils; and

(b) if so, the result thereof?

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): (a) Yes.

(b) It is too early to assess the results.

Tibetan Refugees

*39. **Shrimati Ila Palchoudhuri:**
Shri Subiman Ghose:
Shri Hem Barua:
Shri Aurobindo Ghosal:
Shri Indrajit Gupta:
Shrimati Renu Chakravartty:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that about 600 Tibetan fled recently with their flocks of sheep numbering about 1500 from the Chinese-occupied area of Ladakh into Indian territory;

(b) if so, full facts about the matter; and

(c) the steps taken by Government in connection with these Tibetan refugees?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) and (b). The total number of refugees who have entered Ladakh from Tibet between March-April, 1959 and September, 1960 is 648. Most of them have brought their livestock with them.

(c) Some of them have found employment on road construction work in Ladakh. Others have been moved away from the border and settled with their livestock on land in Ladakh itself.

Cement Machinery

*40. **Shri Shree Narayan Das:**
Shri Radha Raman:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the firms which manufacture cement machinery within the country are unable to cope with the demand; and

(b) if so, what steps have been taken or are proposed to be taken to meet this situation?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). There are at present six firms registered or licensed under the Industries (Development and Regulation Act), 1951, for the manufacture of cement machinery and parts thereof. Of these, three units are licensed for the manufacture of cement machinery with a total turnover of about Rs. 4 crores worth of machinery including complete cement plants, per annum. It is expected that when these three units also go into production by the end of 1962, as anticipated, much of the country's demand for cement machinery would be met. About 5 to 6 standard cement plants of 600—750 tons/day capacity will be manufactured in the country every year from 1963 onward. It is the policy of the Government to encourage creation of additional capacity to meet the demand for machinery either by expansion of the existing units or by the licensing of new units.

International Film Festival in India

*41. **Shri D. C. Sharma:**
Shri Ram Krishan Gupta:
Shri Bhakt Darshan:
Shri Ajit Singh Sarhadi:
Shri Madhusudan Rao:

Will the Minister of **Information and Broadcasting** be pleased to refer

to the reply given to Starred Question No. 8 on the 1st August, 1960 and state:

(a) wheher Government have since considered the proposal to hold an International Film Festival in India; and

(b) if so, the result thereof?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). The proposal to hold an International Film Festival in India in October-November, 1961 is still under consideration.

Prices of Drugs

*42. **Shri Yadav Narayan Jadhav:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the prices of imported drugs have suddenly gone up;

(b) if so, the reasons therefor; and

(c) what steps have been taken by Government to check the rise in prices?

The Minister of Commerce (Shri Kanungo): (a) No, Sir. No sudden rise in the prices of imported drugs has come to the notice of the Government.

(b) and (c). Do not arise.

Workcharged Establishment of C.P.W.D.

1. **Shri Tangamani:** Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) the number of posts in each category on the workcharged establishment in the Central Public Works Department on the 1st April, 1960;

(b) the number of such posts as were permanent;

(c) the number of such posts as were temporary or semi-permanent; and

(d) the number of temporary or semi-permanent posts which have been in existence for a continued period of not less than three years?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) A statement showing the required information is laid on the Table. [*See* Appendix I, annexure No. 6].

(b) 3,839.

(c) The number of temporary posts on 1st April, 1960 was 9645. There are no semi-permanent posts However, persons are granted semi-permanent status after two years' continuous service. This entitles them to some restricted leave concessions.

(d) Information regarding number of temporary posts which have been in existence for three years or more is being collected.

Workcharged Staff of C.P.W.D.

2. **Shri Tangamani:** Will the Minister of **Works, Housing and Supply** be pleased to refer to the reply given to Unstarred Question No. 220 on the 17th February, 1960 and state:

(a) whether the seniority list of the workcharged staff of the Central Public Works Department has been prepared; and

(b) if not, the time that would be taken to prepare the list?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) and (b). The seniority lists for purposes of confirmation are under preparation. It is expected that the lists will be completed soon Selection of persons for confirmation is, however, going on to the extent the lists are ready.

C.P.W.D.

3. Shri Tangamani: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) the number and names of circles in the Central Public Works Department as on the 1st September, 1960;

(b) the names of Divisions under each Circle;

(c) the sub-Divisions under each Division with their sub-Divisional headquarters; and

(d) the sections under each sub-Division with its jurisdiction?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) to (c). A statement showing the names of circles, Divisions and sub-Divisions with their headquarters is laid on the Table. [*See* **Appendix I,** annexure No. 7].

(d) The information is being collected.

Tibetan Refugees

4. Shri Panigrahi:
Shri Hem Raj:
Shri Madhusudan Rao:

Will the **Prime Minister** be pleased to state:

(a) the amount of money which has been spent up to date on Dalai Lama and his party in India;

(b) the amount of money which has been spent up to date for the rehabilitation of the Tibetan refugees in the different camps in India; and

(c) the total number of Tibetan refugees who have left the camps by now?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Rs. 5,80,368 has been spent on the Dalai Lama and his party upto the end of September, 1960.

(b) Rs. 51,87,196 has been spent on the relief and rehabilitation of the Tibetan refugees.

(c) 17,012 Tibetan refugees have left Transit Camps for employment purposes.

Production of Cement

5. Shri D. C. Sharma: Will the Minister of **Commerce and Industry** be pleased to state whether the targets fixed for the production of coment during the Second Five Year Plan have been achieved?

The Minister of Industry (Shri Manubhai Shah): The total industrial capacity approved/licensed so far for the production of cement in the country comes to 15 million tons against the target of 16 million tons fixed for the Second Five Year Plan, which was later on considered for implementation at 10 million tons. During the middle of 1958, the demand for cement showed a tendency to lag behind production and therefore, it was considered necessary to go slow with the implementation of licensed capacity. The capacity expected to materalise by the end of the Plan period is 9·57 million tons.

Tibetan Refugee Educational Institution, Mussoorie

6. Shri D. C. Sharma: Will the **Prime Minister** be pleased to refer to the reply given to Unstarred Question No. 1751 on the 4th April, 1960 and state:

(a) the progress made by the Tibetan Refugees Educational Institution set up at Mussoorie; and

(b) whether it is sufficient to meet their needs?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). From 50 a few months ago the number of Tibetan students in the School has increased to 252. The number of teachers—all Tibetan refugees with the exception of

the Hindi teacher who is from Garhwal and had been in Tibet for several years—is at present 6 in addition to the Principal. The School has sent 10 of its senior boys to the Literacy House at Lucknow for teachers' training. The School at Mussoorie is inadequate for fulfilling the needs of all the Tibetan children in India. There are about 1000 refugee children and it will be necessary to set up two more schools. A special Educational Officer has examined this problem and his report is under consideration.

Survey of Cottage Industries

7. Shri D. C. Sharma: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 1738 on the 4th April, 1960 and state the further progress made in the surveys of cottage industries in different States?

The Minister of Industry (Shri Manubhai Shah): The Area surveys taken up and completed during the period March, 1960 to October, 1960, were, respectively, the following:—

Area Surveys taken up

Maharashtra	1. Slum Areas, Bombay
Madras	2. North Arcot District
Madhya Pradesh .	3. Durg & Raipur Districts
Orissa	4. Barapali District
Rajasthan	5. Koenyhar
	6. Alwar
Uttar Pradesh	7. Banda District
	8. Lucknow & Barabanki
Bihar .	9. Arrah District
West Bengal	10. Siliguri & Kalimpong

Area Surveys Completed

Punjab	1. Mohindergarh District
	2. Kangra
Maharashtra	3. Nagpur—Bhandara
Andhra .	4. Srikakulam & Vishakapatnam
Orissa	5. Mayurbhanj District
Rajasthan	6. Sikar District
	7. Bharatpur
Uttar Pradesh .	8. Mau-Aima Block in Allahabad District.
West Bengal	9. Purulia—Para—Reghunathpur Neture in Purulia District.
	10. Sakitigarh Community Development Block
Madras . .	11. Ramanathapuram
Jammu & Kashmir	12. Entire State excluding Ladakh Area.

Press Trust of India

8. Shri D. C. Sharma: Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Unstarred Question No. 1724 on the 4th April, 1960 and state:

(a) the progress made by the National Tribunal appointed for adjudication in the dispute between the employees of the Press Trust of India and the management in submitting its award; and

(b) if so, the details thereof?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). The hearings of the dispute have since been concluded and the award of the National Tribunal is expected shortly.

Radio-activity

9. Shri D. C. Sharma: Will the **Prime Minister** be pleased to state:

(a) whether there has been any change in the highest level of radioactivity in the country as on the 1st August, 1960; and

(b) if so, whether it constitutes any danger to public health?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). The average level of radioactivity in the air on August 1, 1960, was 0:2 micromicrocuries per cubic meter of air and has remained almost constant since then. This level is very small compared with the

the hihest level recorded in October, 1958 at Delhi, *viz.*, 20·22 micromicrocuries per cubic metre of air and is well below the maximum permissible level for continuous exposure.

Publicity Officers|Organisers in Punjab

10. Shri D. C. Sharma:

Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the number of Publicity Officers|Organisers appointed in Punjab so far under the Integrated Publicity Programme; and

(b) the nature of their activities in the State during the period ending June 1960?

The Minister of Information and Broadcasting (Dr. Keskar): (a) Four (Three Field Publicity Officers and One Publicity Organiser).

(b) The Field Publicity Units of the Publicity Officers|Organisers arrange film shows, song and drama performances, discussion groups and utilise publicity material such as leaflets, folders and posters for the purpose of publicising and explaining the objectives and requirements of the Five Year Plan.

Violation of Cease-Fire Line

11. { Shri D. C. Sharma: / Shri Ram Krishan Gupta:

Will the **Prime Minister** be pleased to state:

(a) the number of times the Jammu and Kashmir cease-fire line was violated by the Pakistanis since July, 1960;

(b) in how many cases the attention of the United Nations observers was drawn towards these incidents; and

(c) with what results?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Residents of Pakistan-occupied Kashmir have violated the cease-fire line on 14 occasions since July, 1960;

(b) In all cases;

(c) The U. N. Chief Military Observer has awarded violation against Pakistan in 2 cases and no violation against Pakistan in 8. His award in 4 cases is awaited.

Tea

12. Shri Morarka: Will the Minister of **Commerce and Industry** be pleased to lay a statement on the Table showing:

(a) the production of tea in 1950-51;

(b) the plan target for the First Five Year Plan, the achievement during the same period together with the financial allocation and the amount actually spent during the First Plan period;

(c) the target for the Second Five Year Plan period, the achievement made so far together with the financial allocation under the Second Five Year Plan and the amount actually spent so far; and

(d) the reasons, if any, for the shortfall in achieving the physical targets?

The Minister of Commerce (Shri Kanungo): (a) Production of tea in India in 1950 and 1951 was 613·35 million lbs. and 629·20 million lbs. respectively.

(b) to (d). No production target or financial allocation was laid down during the First and Second Plan periods. It was, however, expected that, through the normal processes of development, production would increase to 700 million lbs., by the end of the Second Plan period and this was achieved in 1958 itself.

Slum Clearance in U. P.

13. Shri Sarju Pandey: Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) the amount allocated for slum clearance in U. P. during the Second Five Year Plan period;

(b) the number of schemes implemented so far and places where they were executed; and

(c) the amount spent on each of them?

The Deupty Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) to (c) A statement giving the required information is laid on the Table. [*See* Appendix I, annexure No. 8].

Outlay for U.P.

14. Shri Sarju Pandey: Will the Minister of **Planning** be pleased to state:

(a) whether the outlay for 1960-61 for Uttar Pradesh has been decided; and

(b) if so, the amount and the allotment made under different heads?

The Deputy Minister for Planning (Shri S. N. Mishra): (a) Yes; Sir.

(b) A statement is laid on the Table of the House. [*See* Appendix I, annexure No. 9].

Handloom Industry in U.P.

15. Shri Sarju Pandey: Will the Minister of **Commerce** and **Industry** be pleased to state:

(a) whether Government have received any proposal from the Uttar Pradesh Government for giving assistance to handloom industry in the State during the year 1960-61;

(b) if so, the details of the proposal; and

(c) action taken thereon?

The Minister of Commerce (Shri Kunungo): (a) Yes, Sir.

(b) and (c). A statement indicating the handloom schemes received from the U.P. Government for the year 1960-61 and the action taken thereon is laid on the Table. [*See* Appendix I, annexure No. 10].

The ceiling allotted to the State Government for 1960-61 is Rs. 42 lakhs.

Production of Khadi in U.P.

16. Shri Sarju Pandey: Will the Minister of **Commerce** and **Industry** be pleased to state:

(a) the quantity of Khadi produced in U.P. State during 1959 (month-wise); and

(b) the target fixed for the production of Khadi during 1960-61?

The Minister of Industry (Shri Manubhai Shah): (a) A statement containing the required information is laid on the Table. [*See* Appendix I, annexure No. 11].

(b) No target for production of Khadi has been fixed state-wise.

Geophone

17. Shri Kunhan: Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Starred Question No. 1154 on the 7th September, 1960 and state:

(a) whether Government have received fuller details from Soviet authorities regarding a device called "Geophone" capable of predicting at least six hours in advance a blow-out of coal and gas which is a great threat to miners; and

(b) if so, the details thereof?

The Deputy Minister of Labour (Shri Abid Ali): (a) No.

(b) Does not arise.

Ambar Charkha in Maharashtra

18. Shri Pangarkar: Will the Minister of **Commerce and Industry** be pleased to state the amount placed at

the disposal of the Maharashtra Government by the Central Government for the development of Ambar Charkha during 1960-61?

The Minister of Industry (Shri Manubhai Shah): A sum of Rs. 17,07900 has been tentatively allocated for the State Khadi & Village Industries Board for the implementation of the Ambar Charkha Programme during that year.

सिक्किम में रेडियो स्टेशन

१९. **श्री भक्त दर्शन :**
श्री बी० चं० शर्मा :

क्या **सूचना और प्रसारण** मंत्री २५ अगस्त, १९६० के तारांकित प्रश्न संख्या ७८१ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि सिक्कम में रेडियो स्टेशन की स्थापना के संबंध में अब तक क्या प्रगति हुई है ?

सूचना और प्रसारण मंत्री (डा० केसकर) : इस बात की अभी खोज की जा रही है कि सिक्किम और उसके पास के पहाड़ी इलाकों के लिये रेडियो स्टेशन कहां स्थापित किया जाय ऐसी आशा की जाती है कि जगह का निर्णय अन्तिम रूप से इस महीने के अन्त तक हो जायेगा ।

औषधि का कारखाना

२०. **श्री भक्त दर्शन :**
श्री बी० चं० शर्मा :
श्री कोडियान :
श्री विश्वनाथ रेड्डी :

क्या **वाणिज्य तथा उद्योग** मंत्री ४ अगस्त, १९६० के तारांकित प्रश्न संख्या १५५ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि **औषधि** का कारखाना खोलने तथा **औषधियों** के पौधे उगाने के **औषधीय** फार्म स्थापित करने की प्रत्येक योजना के बारे में इस बीच क्या प्रगति हुई है ?

उद्योग मंत्री (श्री मनुभाई शाह) : **औषधि** के कारखाने—मास्को के मेसर्स टेक्नो-एक्सपोर्ट के साथ जून, १९६० में की गई संविदाओं के अनुसार कीटाणुनाशक एवं संश्लेषित **औषधियों**, शल्प चिकित्सा के औजारों तथा वनस्पति रसायन जैसी **औषधियां** बनाने की चार प्रायोजनाओं के बारे में विस्तृत प्रायोजना रिपोर्टें अप्रैल-जून, १९६१ तक मिल जाने की आशा है ।

औषधीय फार्म—जिन राज्य सरकारों से औषधियों में काम आने वाले पौधों की खेती करने की सम्भावनाओं का पता लगाने तथा उनकी खेती जल्दी से जल्दी कब तक शुरू करने और आवश्यक मात्रा में उनको उपलब्ध कराने की तारीख बताने के बारे में निवेदन किया गया था, उनमें से कुछ के पास से जो सामग्री प्राप्त हुई वह वनस्पति रसायन की उप-समिति के सामने विचार करने के लिये रख दी गई है । अन्य राज्य सरकारों से सामग्री प्राप्त होने की अभी प्रतीक्षा है ।

तिब्बती शरणार्थी

२१. **श्री भक्त दर्शन :**
श्री प्र० गं० देव :
श्री हरिश्चन्द्र माथुर :
श्री प्र० के० देव :
श्री अजित सिंह सरहदी :
श्री सुरेन्द्रनाथ द्विवेदी :
श्री हेम राज :
श्री वोडयार :
श्री खीमजी :
श्री रघुनाथ सिंह :
श्री डामर :
श्री मधुसूदन राव :
श्री कोरटकर :
डा० राम सुभग सिंह :

क्या **प्रधान मंत्री** एक ऐसा विवरण रखने की कृपा करेंगे जिसमें निम्नलिखित बातें बताई गई हों :

(क) १ जून, १९६० से अब तक

कितने तिब्बतियों ने भारत में शरण ली है ;

(ख) कितने तिब्बती प्रतिमास उत्तरी सीमा पर स्थित किन–किन दर्रों से होकर भारत आये ;

(ग) कितने तिब्बती किन किन दर्रों से होकर अब तक तिब्बत वापस जा चुके हैं ;

(घ) तिब्बती शरणार्थी कहां कहां रखे गये हैं और प्रत्येक स्थान पर उनकी संख्या कितनी है;

(ङ) तिब्बत में विधि तथा व्यवस्था बिगड़ने के पश्चात् अब तक कुल कितने तिब्बतियों ने भारत में शरण ली है ; और

(च) इनमें से कितने तिब्बती अब तक फिर से बसाये जा चुके हैं ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : (क) १ जून से १५ अक्तूबर, १९६० तक ७६५४ तिब्बती लोगों ने भारत में शरण ली है ।

(ख)	जून	जुलाई	अगस्त	सितम्बर अक्तूबर (१५ तारीख तक)	
नेफा .	३८०	१२०	२०५	२४७	५२
उत्तर प्रदेश	१६१	३४७	२१२	१३०	—
लद्दाख	२२	१७३	७३	७९	१०
हिमाचल प्रदेश	६०४	३८६	—	४	३१
पंजाब	४२७	—	—	—	—
सिक्किम .	४३५	५३	१०२	३३२५	७६

जिन जिन दर्रों से उन्होंने प्रवेश किया है, उनके नाम इस प्रकार हैं :

नेफा	कारपोतसांग, लहाला, तुलुंग, निलाकाला ।
उत्तर प्रदेश	लिपलेख, लिम्पिया, नेलंग ।
लद्दाख	जराला, चारदिंगला, छांगला
सिक्किम	नथूला, जेलेपला, कोंगराला, डोंगक्याला, थांकारला ।
हिमाचल प्रदेश	शिपकिला, नेसांग ।

यह कहना संभव नहीं है कि प्रत्येक दर्रों से होकर आने वाले शरणार्थियों की संख्या कितनी कितनी है ।

(ग) जो तिब्बती शरणार्थी तिब्बत को वापस चले गये हैं, उनकी संख्या के बारे में कोई सूचना सुलभ नहीं है ।

(घ) फिलहाल तिब्बती शरणार्थी इस प्रकार बंटे हुये हैं :

पंजाब	२५४८
हिमाचल प्रदेश	१११३
सिक्किम	४२२१
पश्चिम बंगाल	३३८३
नेफा	१५५८

जम्मू और काश्मीर	८००
उत्तर प्रदेश	७००
बिहार	६३१
लद्दाख	१३२५

(ङ) मार्च, १९५९ से अक्तूबर, १९६० तक २४,४८० तिब्बती भारत में आये हैं।

(च) भालुकपुंग, नेफा में लगभग १००० शरणार्थी बसाये जा रहे हैं। ३००० और शरणार्थी मैसूर राज्य की भूमि पर बसाये जावेंगे। शेष सड़क निर्माण, जंगलात और दस्तकारी का काम कर रहे हैं।

Wage Boards

22. **Shri Ram Krishan Gupta:**
Shri S. M. Banerjee:
Shri M. K. Kumaran:

Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Starred Question No. 520 on the 18th Auust, 1960 and state the nature of steps taken so far for the appointment of three separate wage boards for tea, coffee and rubber plantations?

The Deputy Minister of Labour (Shri Abid Ali): The Industrial Committee on Plantations at its meeting held on the 9th November 1960, recommended change in the composition of the Tea Wage Board. Further action is being taken accordingly.

Bonus Commission

23. **Shri Ram Krishan Gupta:**
Shri D. C. Sharma:
Shri T. B. Vittal Rao:

Will the Minister of **Labour and Employment** be pleased to refer to the reply given to Starred Question No. 353 on the 12th August, 1960 and state the nature of progress made so far in appointing a Bonus Commission?

The Deputy Minister of Labour (Shri Abid Ali): The matter is still under consideration.

Evacuee Agricultural Lands in Punjab

24. **Shri Ram Krishan Gupta:** Will the Minister of **Rehabilitation and Minority Affairs** be pleased to refer to the reply given to Unstarred Question No. 1975 on the 2nd September, 1960 and state:

(a) whether Government have since examined the allotment of evacuee agricultural land to the remaining cultural and religious institutions in Punjab which have not Started functioning as yet; and

(b) if so, the action taken in regard?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) and (b). The examination is continuing. Cases of 117 institutions are still pending for review by the Punjab Government.

Reclassification of Government Quarters

25. **Shrimati Ila Palchoudhuri:** Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that Government residential accommodation in Delhi has recently been upgraded and reclassified;

(b) if so, details thereof;

(c) whether it is also a fact that as a result of this upgrading and reclassification hundreds of Government employees living in various Government quarters for years will have to shift to lower grade quarters situated far off from their present places of residence and will thus be put to various hardships;

(d) if so, whether Government have given any consideration to this aspect of the matter; and

(e) what steps have been taken or are proposed to be taken to case the situation?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) to (e). A statement is laid on the Table. [*See* **Appendix I**, annexure No. 12].

Savantram Ramprasad Mills Company Ltd., Akola

26. Shri Indrajit Gupta: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Savantram Ramprasad Mills Company Ltd., Akola was closed down;

(b) the reasons for the closure; and

(c) the action taken by Government to get the mills reopened?

The Minister of Commerce (Shri Kanungo): (a) and (b). Messrs Savantram Ramprasad Mills closed down on 5th March, 1960 due to financial difficulties.

(c) Government had ordered investigation in this case but subsequently the Mill's management themselves reopened the mills from 23rd October, 1960.

Reopening of Factory in Kerala

27. Shri Kunhan: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Government of India have received any representation from the Government of Kerala in regard to the reopening of the closed factory of the Commonwealth Trust Ltd. in Cannanore; and

(b) if so, what are the suggestions made by the Kerala Government in regard to the running of the power-loom factory?

The Minister of Commerce (Shri Kanungo): (a) No, Sir.

(b) Does not arise.

Employees' State Insurance Scheme

28. Shri S. M. Banerjee: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether some of the employers of Kanpur have not paid their dues on account of contribution towards the Employees' State Insurance Scheme;

(b) if so, the total dues on 1st October, 1960; and

(c) the steps taken by Government to recover this amount?

The Deputy Minister of Labour and Planning (Shri L. N. Mishra): (a) Yes.

(b) Rs. 2,79,571.

(c) Legal action under the Employees' State Insurance Act, 1948, has been taken, wherever necessary.

Indians in Tibet

29. Shri D. C. Sharma:
Shri Bhakt Darshan:
Shri Ajit Singh Sarhadi:

Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 11 on the 1st August, 1960 and state the further extent of success achieved in getting the release of about twenty-three Indian citizens or Indian protected persons who are still detained by the Chinese authorities in Tibet?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): According to information available with the Government of India, one Kashmiri Muslim has been released on account of serious illness. It is not known whether he has been released on parole. One Indian protected person is also reported to have been released but is still under Chinese custody for completing formalities. The remaining persons continue to be under arrest.

Foreign Soap Companies in India

30. Shri D. C. Sharma: Will the Minister of **Commerce and Industry** be pleased to state:

(a) the number of foreign companies in the soap industry in India; and

(b) the amount of profit remitted by them outside India during 1959-60?

The Minister of Industry (Shri Manubhai Shah): (a) Two.

(b) Nil.

Sewing Machines

31. Shri D. C. Sharma: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government have fixed the target for output of sewing machines for the year 1960-61; and

(b) if so, what arrangements are being made to keep the prices from going up?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). Yes, Sir, at 300,000 Nos. The prices are quite competitive and the progress of the industry is satisfactory in the large scale, medium scale and small scale sectors.

Hindustan Antibiotics, Pimpri

32. Shri D. C. Sharma: Will the Minister of **Commerce and Industry** be pleased to state at what stage is the expansion programme of Hindustan Antibiotics Ltd., Pimpri?

The Minister of Industry (Shri Manubhai Shah): A statement is laid on the Table.

STATEMENT

The present position in respect of the expansion programme of the Hindustan Antibiotics Limited, Pimpri is given below:—

Penicillin

The programme for expansion of penicillin production by sixty per cent at Pimpri from 25 million mega units to 40 million mega units per year is complete.

Streptomycin and Dihydrostreptomycin:

Civil works in respect of the factory building entrusted to the C.P.W.D., are in progress. Almost all the equipment has been ordered by the company. An erection engineer of Messrs. Mercks, U.S.A. is on site to supervise the work of installation. According to present schedule the plant is likely to commence production by the end of 1961.

Tetracyclines:

The pilot plant with a capacity of 1.5 tons of tetracycline per annum is under erection.

Vitamin 'C'

A detailed project report for the production of 50 tons of vitamin 'C' per annum at Pimpri is being prepared by the company in consultation with the National Chemical Laboratory.

State Trading Corporation

33. { Shri A. M. Tariq: / Shri Rameshwar Tantia: / Shri Ram Krishan Gupta:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 669 on the 12th August, 1960 and state at what stage is the proposal for amending the Articles of Association of the State Trading Corporation of India Ltd.?

The Minister of Commerce (Shri Kanungo): The matter is still under consideration.

Manufacture of Wine in Mysore

34. { Shri S. Supakar: / Shri P. K. Deo:

Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is proposed to manufacture wine on a large-scale in Mysore during the Third Five Year Plan with foreign collaboration; and

(b) if so, the total savings in foreign exchange involved in the venture as

a result of the reduction in the import of foreign liquor?

The Minister of Industry (Shri Manubhai Shah): (a) No, Sir.

(b) Does not arise.

Manufacture of Power Tillers

35. **Shri Inder J. Malhotra:** Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 1985 on the 2nd September, 1960 and state:

(a) whether the design of power-tillers to be manufactured by M|s The East Asiatic Co. (India) Private Ltd., Bombay and M/s. Testeels Ltd., Bombay were approved by the Ministry of Food and Agriculture; and

(b) what will be the cost and market price of these power-tillers?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). Two power tillers are going to be manufactured by the above two firms. M/s East Asiatic Company (India) Private Ltd., Bombay, are trying to build a proto-type on their own being developed in India to suit Indian conditions and, therefore, no prior approval by the Ministry of Food and Agriculture was necessary. Regarding the second power tiller to be manufactured by M/s. Testeels Ltd., it is a well known brand already in use in the country.

Salt Committee

36. { **Shri S. C. Samanta:** / **Shri Subodh Hansda:** }

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 948 on the 18th August, 1960 and state:

(a) whether Government have since considered all the recommendations made by the Salt Committee;

(b) how many recommendations have already been accepted; and

(c) whether there is any proposal to have a separate Salt Act?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The recommendations of the Salt Committee are under consideration.

(c) No, Sir.

Slum Clearance in Maharashtra

37. **Shri Yadav Narayan Jadhav:** Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) what schemes of slum clearance are in progress in the State of Maharashtra;

(b) what is the quantum of Central assistance to each of the above schemes;

(c) what is the progress that has been achieved;

(d) whether Malegaon Municipal Borough has submitted its scheme of slum clearance through the Maharashtra State to the Central Government and what is the Central assistance given; and

(e) what are the special and main features of the scheme submitted, if any?

The Deputy Minister of Works, Housing and Supply: (Shri Anil K. Chanda): (a) to (c). The required information is furnished in the statement laid on the Table. [*See* Appendix I, annexure No. 13].

(d) and (e). The Malegaon slum clearance project which has been sanctioned by the Government of Maharashtra at a cost of Rs. 5,90,592 envisages re-housing of 192 slum families in 192 single-storeyed 'small two-roomed' tenements. The project which is awaiting approval of the Government of India will qualify for Central assistance at the rate of 50 per cent loan and 25 per cent subsidy calculated on the basis of the approved cost.

A.I.R. Employees

38. Shri A. K. Gopalan: Will the Minister of **Information and Broadcasting** be pleased to state whether the Government have received representation from the A.I.R. staff about posting of married couples in the same station where both are employed in the A.I.R.?

The Minister of Information and Broadcasting (Dr. Keskar): The information is being collected from the Stations/Offices of All India Radio and will be laid on the Table of the Sabha.

Bomb Explosion Near Jammu

39. Shri Sadhan Gupta: Will the **Prime Minister** be pleased to state:

(a) whether two bombs exploded near Akhnur, near Jammu early in the morning of the 23rd September, 1960;

(b) if so, the casualties and damage caused thereby;

(c) whether any inquiries have been made into the matters; and

(d) if so, the result thereof?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). Yes Sir. An explosion occurred on September 23, 1960, about a quarter of a mile north of Akhnur, damaging a civilian vehicle. Another explosion took place soon after in the same area, as a result of which one civilian died.

(c) and (d). The cases have been registered and the police are investigating the matter.

Closure of Boureah Cotton Mills Howrah

40. Shri P. K. Deo: Will the Minister of **Commerce and Indusry** be pleased to state:

(a) whether the Boureah Cotton Mills at Howrah were closed in the month of September;

(b) if so, how long it remained closed;

(c) the reason for the closure; and

(d) action taken by the Government in this regard?

The Minister of Commerce (Shri Kanungo): (a). Yes, Sir.

(b). The mill was completely closed only for a day. After partial closure for about 15 days the mills started full working from 25-9-1960.

(c) Labour trouble.

(d) The mill started working as a result of intervention by the State Government.

Sholapur Spinning and Weaving Company Ltd.

41. Shri Ram Krishan Gupta: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 1253 on the 22nd August, 1960 and state:

(a) whether Government have completed the investigation into the affairs of the Sholapur Spinning and Weaving Mills; and

(b) if so, the result thereof?

The Minister of Commerce (Shri Kanungo): (a) and (b). The Investigation Committee has submitted its report which is under consideration of Government.

Export of Films to Afghanistan

42. Shri M. B. Thakore: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that the number of movie pictures produced in India and exported to Afghanistan has decreased recently; and

(b) if so, the reasons therefor?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) No, Sir. The export of films during January-August, 1960 has improved as compared to the exports in the corresponding period of 1959.

(b) Does not arise.

Bamboo Prototype Training-cum-Production Centre, Panihati

43. **Shrimati Renu Chakravartty:**
Shri Indrajit Gupta:

Will the Minister of **Rehabilitation and Minority Affairs** be pleased to refer to the reply given to Starred Question No. 626 on the 22nd August, 1960 and state:

(a) whether Government have decided to hand over the Bamboo Prototype Training-*cum*-Production Centre at Panihati, West Bengal to the State Government; and

(b) if not, why not?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) and (b). The question of transfer of the Production Centre at Kamarhati to the West Bengal Government is under negotiation with the Stae Government. The final decision is likely to be taken shortly.

Coirolite

44. Shri Ram Krishan Gupta: Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 939 on the 18th August, 1960 and state the nature of progress made so far in completion of investigation for the industrial and commercial use of substance known as 'Coirolite'?

The Minister of Industry (Shri Manubhai Shah): An officer of the Central Coir Research Institute who was deputed to carry out experiments in collaboration with one of the plastic manufacturers at Bombay with a view to determining the cost factors involved in the process, has recently completed this work. A technical bulletin on the findings of the laboratory experiments is being published.

Export Houses

45. **Shri Ram Krishan Gupta:**
Shri Pangarkar:
Shri D. C. Sharma:

Will the Minister of **Commerce and Industry** be pleased to refer to the reply given to Unstarred Question No. 31 on the 1st August, 1960 and state the nature of progress made so far to set up export houses to boost export of goods, manufactured in India?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): It has been decided to recognise a limited number of Export Houses. Government have laid down certain conditions for recognition and the facilities which would be available to recognized Houses. Proposals received for recognition are now being examined.

Smuggling from Goa

46. Shri Jaganatha Rao: Will the **Prime Minister** be pleased to state:

(a) whether any measures have been taken by Government of India against smuggling from Goa; and

(b) if so, the nature of such measures?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). Government have under continuous consideration the necessity for adequate measures to prevent smuggling from Goa and elsewhere into India. Such administrative and other changes as are necessary are given effect to. In the nature of things it would not be desirable to detail the measures taken.

Plywood Products

47. Shri Achar: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that a delegation was sent to Ceylon to find out whether there is scope for exporting

to that country plywood products, specially Indian tea chests;

(b) whether the delegation have submitted their report to Government and if so, the main suggestions made by the delegation; and

(c) what steps Government propose to take on these suggestions?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). No such delegation was sent by Government. A non-official delegation, sponsored by the South Indian Plywood Manufacturers' Association, Calicut, toured Ceylon for 10 days in September 1960 with a view to exploring possibilities of exporting Plywood Products to that country. The Association has promised to send a report containing delegation's impressions of the tour, which is awaited.

Salicyl Anilide

48. Shri P. K. Deo: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether the Sriram Institute for Industrial Research in Delhi has developed a new process for the manufacture of Salicyl anilide for use in textiles, leather, paper and other industries;

(b) if so, the details of this new process; and

(c) whether the know-how has been passed on to other industries and whether they have taken up its production by the new process?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) The new method (of manufacturing Salicyl anilide) developed at Sriram Institute for Industrial Research, consists in condensing salicylic acid with aniline in the presence of a catalyst and condensing agent; the condensation is completed within about two hours without formation or evolution of any corrosive product and without using any organic solvent. The use of glass lined equipment and distillation unit required in the conventional process can be dispensed with.

(c) The question of entrusting the commercial development to the interested parties is under consideration.

Rubber Production

49. Shri Assar: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that there was a meeting of Rubber Board at Bangalore in the last week of August, 1960;

(b) if so, whether any decisions were taken by the Board to increase production of rubber in our country;

(c) if so, what are the schemes and recommendations made;

(d) whether any progress has been made on the Rubber Research Institute; and

(e) if so, the details thereof?

The Minister of Commerce (Shri Kanungo): (a) Yes, Sir.

(b) and (c). No Scheme for increasing the production of rubber was drawn up or recommended by the Rubber Board in this meeting.

(d) and (e). The building to house the Rubber Research Institute is nearing completion.

Employment of Educated Persons

50. { Shri Daljit Singh: / Shri D. C. Sharma:

Will the Minister of **Labour and Employment** be pleased to state the number of persons employed from amongst the registered unemployed graduates and intermediates in Punjab during June-September, 1960?

The Deputy Minister of Labour (Shri Abid Ali): Information for the period July-September, 1960 is given

below. Figures for June to September, 1960 are not available, as the information is collected quarterly.

Category	No. of applicants placed in employment during July-September, 1960.
Graduates	461
Intermediates	192

Tibetan Refugees

51. Shri Daljit Singh: Will the **Prime Minister** be pleased to state the number of Tibetan refugees who entered Punjab and Himachal Pradesh during April-October, 1960?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): The number of Tibetan refugees who entered the Punjab and the Himachal Pradesh during April to October, 1960, are as follows:—

Months	Punjab	Himachal Pradesh
April, 60	Nil	Nil
May, 60	Nil	145
June, 60	427	604
July, 60	Nil	386
August, 60	Nil	Nil
September, 60	Nil	4
October, 60	Nil	31

Indian Tea in Australia

52. Shri S. A. Mehdi: Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether it is a fact that Indian tea is not popular in Australia; and

(b) if so, the steps taken in the matter?

The Minister of Commerce (Shri Kanungo): (a) and (b). Mostly, imported teas in Australia are mixed to produce local blends to suit the consumer's taste at prices he is willing to pay. India is one of the principal sources of supply of tea to Australia. It is, therefore, not a fact that Indian tea is not popular in Australia. However, with a view to encourage Australian blenders to use more and more Indian tea in producing local blends, the Tea Board have recently appointed their officer in Sydney.

Verification of Membership of Trade Unions

53. Shri Ram Krishan Gupta: Will the Minister of **Labour and Employment** be pleased to state:

(a) whether it is a fact that Union Labour Ministry has evolved an elaborate procedure for verification of membership of trade unions for purposes of recognition under the Code of Discipline; and

(b) if so, the details thereof?

The Deputy Minister of Labour (Shri Abid Ali): A copy of the procedure is placed on the table of the Sabha. [*See* Appendix I, annexure No. 14].

12 hrs.

OBITUARY REFERENCES

Mr. Speaker: I have to inform the House of the sad demise of three of our friends, namely Shri Kankipati Veeranna Padalu, Dr. Pramatha Nath Banerjea and Shri Hem Chandra Naskar.

Shri Kankipati Veeranna Padalu was a sitting member of Lok Sabha from Golugonda—Reserved—Scheduled Tribes constituency of Andhra Pradesh. He passed away at Visakhapatnam on the 29th September, 1960, at the age of 55.

Dr. Pramatha Nath Banerjea was a member of the former Central Legislative Assembly during the years 1934-45. He passed away at Calcutta on the 5th November, 1960.

Shri Hem Chandra Naskar was a member of the Constituent Assembly of India during the years 1946-47. He passed away at Calcutta on the 13th November, 1960.

We deeply mourn the loss of these friends and I am sure the House will join me in conveying our condolences to the bereaved families.

The House may stand in silence for a short while to express its sorrow.

The Members then stood in silence for a minute.

12·01 hrs.

RE: MOTIONS FOR ADJOURNMENT

Shri Braj Raj Singh (Firozabad): Sir, may I ask your guidance about one of my adjournment motions? It is about the Judgment of the Supreme Court in the Karnal Murder Case. I abide by your decision that the adjournment motion would not be allowed. But I want to seek your guidance as to how we can raise this matter in the House because the matter is urgent and important. It affects the whole administration. Can we not have some sort of a discussion on this?

Shri Vajpayee (Balrampur): This question was raised during Question Hour in the last session and you were pleased to allow many supplementaries. Now a decision has been given by the Supreme Court and we would like to have a discussion.

Mr. Speaker: An adjournment motion was tabled at this stage and I thought that it was not the proper remedy. I also felt that this matter pertained to the State with its own Legislature and it is open to the members there to take interest in that matter and set right if there is anything wrong. This Parliament should not take up jurisdiction over such a matter which can be dealt with by the local legislature consisting of as good representatives as we are here.

If any other motion comes up, as Shri Vajpayee says, I will consider that matter. I cannot be called upon to give any advice in advance as to what ought to be done. As and when a matter arises, it is for me to dispose of it..... (*Interruption*).

Shri Tyagi (Dehra Dun): Another criterion for an adjournment motion is that it should be urgent; it cannot be a continuing process. The question cannot come up as an adjournment motion if it is not urgent.

Mr. Speaker: I have already disallowed the adjournment motion and I think the hon. Members are not taking exception to that. They want me to give them guidance as to what can be done for raising a discussion and I said that it was not for me to give guidance in these matters.

Shri Ram Krishan Gupta (Mahendragarh): In reply to my previous questions, the hon. Home Minister promised to look into the matter after a decision was made on the appeal. Now, a decision has been taken by the Supreme Court. So, this matter should be raised here and a discussion should be allowed.

Mr. Speaker: Very well. But not on an adjournment motion. Does he mean to say that the hon. Home Minister said that it could be taken up here after the judgement was delivered in this matter?

The Minister of Home Affairs (Shri G. B. Pant): He says that I stated previously, in reply to a question that I would look into the matter. But I cannot vest Parliament with jurisdiction which either it possesses or does not possess. I have stated that I would look into the matter. I have looked into the matter and find that there is no ground for raising this question here by an adjournment motion or otherwise, in any form whatsoever.

12·05 hrs.

RE: MOTION OF PRIVILEGE

Shri A. M. Tariq (Jammu and Kashmir): Mr. Speaker, on the 7th of this month, I have sent you a notice

[Shri A. M. Tariq]

under rule 223 of the Rules of Procedure requesting you to allow me to bring a motion of privilege against the printer, publisher, editor and correspondent of the world-famous American magazine. *'Time'* In its issue dated the 26th September, 1960, it says like this.

Mr. Speaker: I am not allowing him to raise the matter now. I have not yet given my consent. I said that I would look into this matter. I have not yet had time to look into all the correspondence that has passed between the hon. Member and person concerned. I shall consider them. Tomorrow or the day after, I shall inform him as to what further steps can be taken in this matter. Now, let us proceed with the business.

RE: MOTION FOR ADJOURNMENT

श्री जगदीश अवस्थी (बिल्हौर) : आनरेबुल प्वायंट आफ आर्डर, सर । श्रीमन्, मुझे यह निवेदन करना है कि आप ने यह लिखा है कि यह विषय राज्य का है, लेकिन उत्तर प्रदेश का विधान मंडल शासनारूढ़ दल की आपसी गुटबन्दी के कारण स्थगित कर दिया गया है, जिसके कारण उत्तर प्रदेश के विधायक इस प्रश्न पर विचार करने में असमर्थ हैं । इसलिये मैं आपसे व्यवस्था चाहूंगा कि वहां की जनता की दुरवस्था के महत्वपूर्ण प्रश्न पर इस सदन में विचार किया जाये या नहीं । वहां लाखों करोड़ों रुपये की सम्पत्ति की हानि हुई है । सारा प्रदेश वहां के अधिकारियों के हाथ में छोड़ दिया गया है और मुख्य मंत्री ने घोषणा कर दी है कि वह कोई काम नहीं करेंगे । इस स्थिति में इस सदन को यह अधिकार प्राप्त है कि यदि किसी प्रदेश में ऐसी स्थिति पैदा हो जाये, तो उसके बारे में यहां पर बहस की जाये और विचार किया जाये । मैं आप से व्यवस्था चाहूंगा कि सदन को इस स्थिति में क्या करना चाहिये ।

श्री राम सेवक यादव (बाराबंकी) : श्रीमन्, मैं यह निवेदन करना चाहता हूं कि इसी सदन में उड़ीसा और पंजाब में बाढ़ से उत्पन्न स्थिति पर बहस हुई थी । उत्तर प्रदेश में भी बाढ़ आई है । वहां पर लखनऊ और दूसरे जिलों की स्थिति बहुत खराब है । लाखों रुपये की फसल नष्ट हुई है और लाखों लोगों पर बाढ़ का दुष्प्रभाव पड़ा है ।

Mr. Speaker: On previous occasions, when serious floods occurred in some parts of the country, on the request of hon. Members, the hon. Minister made a statement and further clarifications were also made and facts in possession of the hon. Members were given to the Minister. I have received some Calling Attention notices regarding floods in Madras which prevented some of us from coming by our Railways. Now, unfortunately, there are famines in some parts and floods in other parts in our country. The hon. Minister may look into this matter and after getting sufficient information may place it before the House indicating what steps have been taken by the Centre to supplement the steps taken by the States. People who come here from various parts would like to know and have some information regarding this matter.... (*Interruptions*).

An Hon. Member: We cannot set right the Chief Minister there.

Mr. Speaker: Order, order. We are going into extraneous matters. It seems the hon. Members are not anxious about flood relief but want to settle as to who ought to be the Chief Minister of some State.... (*Interruptions*).

An Hon. Member: We are not interested in that.

Mr. Speaker: That cannot be done her..... (*Interruptions*). Very well. I request the hon. Minister here to make a statement in the House within two or three days regarding he flood situation in various places, particularly with respect to Uttar Pradesh. I have also got a

paper here referring to the relief measures that have been adopted in Madras. Let him make a statement at his earliest convenience.

श्री राम सेवक यादव: उत्तर प्रदेश में जो इस वक्त कोई सरकार नहीं है, उसके बारे में मैंने कामरोको प्रस्ताव पेश किया है . .

Mr. Speaker: Order, order. They are referring to one other adjournment motion which they have tabled. Some hon. Members have tabled an adjournment motion saying that there is a break-down of the Constitution in Uttar Pradesh and that this House must have an opportunity to discuss that matter. I disallowed that motion. I did not want to be very harsh on the first day and, therefore, I allowed the hon. Member concerned to get up and refer to it. How can I look into this matter here. They have to settle that matter there and they are trying to settle it. I am sure every hon. Member of this House will agree that this is not a matter which can be taken up at this stage. If there is nobody at all—if one Minister resigns and no other Minister comes in—then we will consider whether it is necessary.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): No such question arises. It is all fantasy.

श्री राम सेवक यादव : वहां पर विधान मंडल की बैठक नहीं हो रही है, श्रीमन् ।

Mr. Speaker: I agree that there is absolutely no question of our discussing the question of ministers, the responsibilities of ministers or the resignation of ministers in Uttar Pradesh. There is a duly constituted government which is in charge of the administration in that State. If there is any break-down then we shall see. I, therefore, disallowed that motion.

श्री राम सेवक यादव : विधान की हत्या हो रही है ।

Shri Rajendra Singh (Chapra): When the Prime Minister takes interest in Congo why should he not take interest in Uttar Pradesh?

Mr. Speaker: Order, order. We shall proceed with our business.

12.12 hrs.

PAPERS LAID ON THE TABLE

White Paper on India-China Relations

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I beg to lay on the Table a copy of White Paper No. IV containing Notes, Memoranda and Letters exchanged between the Governments of India and China between March, 1960 and November, 1960. [*Placed in Library, See* No. LT-2395/60.]

Notification issued under Requisitioning and Acquisition of Immovable Property Act

The Minister of Works, Housing and Supply (Shri K. C. Reddy): I beg to lay on the Table a copy of Notification No. S.O. 2505, dated the 15th October, 1960, under sub-section (2) of Section 17 of the Requisitioning and Acquisition of Immovable Property Act, 1952. [*Placed in Library, See* No. LT-2396/60.]

Registration of Electors Rules

The Minister of Law (Shri A. K. Sen): I beg to lay on the Table a copy of the Registration of Electors Rules, 1960 published in Notification No. S.O. 2750, dated the 11th November, 1960, under sub-section (3) of Section 28 of the Representation of the People Act, 1950. [*Placed in Library, See* No. LT-2397/60.]

AMENDMENTS TO THE REGISTRATION OF NEWSPAPERS (CENTRAL) RULES

The Parliamentary Secretary to the Minister of Information and Broadcasting (Shri A. C. Joshi): Sir, on behalf of Dr. Keskar, I beg to lay on the Table a copy of each of the following Rules, under sub-section (2) of Section 20A of the Press and Registration of Books Act, 1867:

(i) The registration of Newspapers (Central) Amendment Rules, 1960 published in Notification No. G.S.R. 1959, dated the 10th September, 1960.

(ii) The Registration of Newspapers (Central) Amendment Rules, 1960 published in Notification No. G.S.R. 1059, dated the 15th October, 1960. [*Placed in Library, See* No. LT-2398/60.]

NOTIFICATIONS ISSUED UNDER ESSENTIAL COMMODITIES ACT AND INDUSTRIES (DEVELOPMENT AND REGULATION) ACT

The Minister of Commerce (Shri Kanungo): I beg to lay on the Table:

(i) A copy of the Woolen Yarn (Production and Distribution Control) Order, 1960 published in Notification No. S.O. 2347, dated the 21st September, 1960, under sub-section (6) of Section 3 of the Essential Commodities Act, 1955. [*Placed in Library, See* No. LT-2399/60.]

(ii) A copy of Notification No. S.O. 2181, dated the 2nd September, 1960 issued under Section 15 of the Industries (Development and Regulation) Act, 1951. [*Placed in Library, See* No. LT-2340/60.]

AMENDMENTS TO NATIONAL SHIPPING BOARD RULES

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): I beg to lay on the Table a copy of each of the following rules under sub-section (3) of Section 458 of the Merchant Shipping Act, 1958:—

(i) The National Shipping Board (Amendment) Rules 1960 published in Notification No. G.S.R. 1111, dated the 24th September, 1960;

(ii) The National Shipping Board (Second Amendment) Rules, 1960 published in Notification No. G.S.R. 1242, dated the 22nd October, 1960. [*Placed in Library, See* No. LT-2401/60.]

ANNUAL REPORT OF HEAVY ENGINEERING CORPORATION LTD., COMMENT ON THE REPORT OF KHADI EVALUATION COMMITTEE, ANNUAL REPORT OF NATIONAL PRODUCTIVITY COUNCIL AND REPORTS OF TARIFF COMMISSION

The Minister of Industry (Shri Manubhai Shah): I beg to lay on the Table:

(i) A copy of the Annual Report of the Heavy Engineering Corporation Limited for the year 1959-60, along with the audited accounts and comments of the Comptroller and Auditor General thereon, under sub-section (1) of Section 639 of the Companies Act, 1956.

(ii) A copy of the Review by the Government of the working of the above Company for the year 1959-60. [*Placed in Library, See* No. LT-2402/60.]

(iii) A copy of the Comment of the Khadi and Village Industries Commission on the Report of the Khadi Evaluation Committee. [*Placed in Library, See* No. LT-2403/60.]

(iv) A copy of the Annual Report on the working of the National Productivity Council

for the year 1959-60. [*Placed in Library, See* No. LT-2404/60.]

(v) A copy of each of the following papers, under sub-section (2) of Section 16 of Tariff Commission Act, 1951:

(a) Report (1960) of the Tariff Commission on the continuance of protection to the Automobile Sparking Plug Industry.

(b) Government Resolution No. 21(3) T.R./60, dated the 19th September, 1960. [*Placed in Library, See* No. LT-2405/60.]

(c) Report (1960) of the Tariff Commission on the continuance of protection to the Piston Assembly (Pistons, Piston Rings and Gudgeon Pins) Industry.

(d) Government Resolution No. 53(1)-T.R./60, dated the 7th October, 1960.

(e) Notification No. 53(1)-T.R./60, dated the 7th October, 1960.

(f) Statement explaining the reasons why a copy each of the documents at (c), (d) and (e) above could not be laid on the Table within the period prescribed in the said sub-section. [*Placed in Library, See* No. LT-2406/60.]

AMENDMENTS TO EMPLOYEES' PROVIDENT FUNDS SCHEME AND THE INDUSTRIAL DISPUTES (CENTRAL) RULES

The Deputy Minister of Labour (Shri Abid Ali): I beg to lay on the Table:

(i) A copy of the Employees' Provident Funds (Amendment) Scheme, 1960 published in Notification No. G.S.R. 1122, dated the 24th September, 1960, under sub-section (2) of Section 7 of the Employees' Provident Funds Act, 1952. [*Placed in Library, See* No. LT-2407/60.]

(ii) A copy of the Industrial Disputes (Central) Amendment Rules, 1960 published in Notification No. G.S.R. 1220, dated the 15th October, 1960, under sub-section (4) of Section 38 of the Industrial Disputes Act, 1947. [*Placed in Library, See* No. LT-2410/60.]

AMENDMENTS TO DISPLACED PERSONS (COMPENSATION AND REHABILITATION) RULES

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): I beg:

(i) to re-lay on the Table a copy of Notification No. G.S.R. 881, dated the 30th July, 1960 making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954. [*Placed in Library, See* No. LT-2311/60.]

(ii) to lay on the Table a copy of Notification No. G.S.R. 1057, dated the 10th September, 1960 making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954. [*Placed in Library, See* No. LT-2408/60.]

ANNUAL REPORT OF RESCUE STATIONS COMMITTEE

The Deputy Minister of Planning and Labour and Employment (Shri L. N. Mishra): I beg to lay on the Table a

[Shri L. N. Mishra]

copy of the Annual Report of the Rescue Stations Committee, Dhanbad, for the year 1959-60. [*Placed in Library, See* No. LT-2409/60.]

12·14 hrs.

PRESIDENT'S ASSENT TO BILLS

Secretary: Sir, I lay on the Table following eight Bills passed by the Houses of Parliament during the last session and assented to by the President since a report was last made to the House on the 5th September, 1960:

(1) The Taxation Laws (Amendment) Bill, 1960.

(2) The Appropriation (Railways) No. 4 Bill, 1960.

(3) The Appropriation (No. 3) Bill, 1960.

(4) The Drugs (Amendment) Bill, 1960.

(5) The Appropriation (No. 4) Bill, 1960.

(6) The Central Excises (Conversion to Metric Units) Bill, 1960.

(7) The Delhi Primary Education Bill, 1960.

(8) The Customs Duties and Cesses (Conversion to Metric Units) Bill, 1960.

2. Sir, I also lay on the Table copies, duly authenticated by the Secretary of Rajya Sabha, of the following ten Bills passed by the Houses of Parliament during the last session and assented to by the President since a report was last made to the House on the 5th September, 1960:

(1) The Banking Companies (Amendment) Bill, 1960.

(2) The Delhi Land Holdings (Ceiling) Bill, 1960.

(3) The Tripura Municipal Law (Repeal) Bill, 1960.

(4) The International Development Association (Status, Immunities and Privileges) Bill, 1960.

(5) The Manipur Land Revenue and Land Reforms Bill, 1960.

(6) The Plantations Labour (Amendment) Bill, 1960.

(7) The Banking Companies (Second Amendment) Bill, 1960.

(8) The Standards of Weights and Measures (Amendment) Bill, 1960.

(9) The Indian Trade Unions (Amendment) Bill, 1960.

(10) The Tripura Land Revenue and Land Reforms Bill, 1960.

12·15 hrs.

STATEMENT *RE.* INDUS WATERS TREATY

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): Sir, in my statement of 2nd August, 1960, I had assured the House that I would make a further statement as soon as the Indus Waters discussions then going on in Washington were over. The negotiations concluded early in September and the draft Treaty prepared was approved by the two Governments soon thereafter.

Mr. Speaker: If it is a very long statement, the hon. Minister may lay it on the Table of the House.

Hafiz Mohammad Ibrahim: Sir, I lay it on the Table. [*See* Appendix I, annexure No. 15].

Shri Asoka Mehta (Muzaffarpur): Sir, on a point of information. I would like to know what is the present status of the treaty. Is it in force? Has it been ratified? Is it going to be brought before the House for adjudication? I would like to know from the Minister what is the present status of the treaty.

Mr. Speaker: He wants to know whether the treaty has come into force

or it is to be brought into force from any particular date. He also wants to know whether it is proposed to bring it up here for ratification.

Shri Asoka Mehta: In the treaty itself it is mentioned that within a month it will be ratified. We do not know whether it has been ratified or not or whether it is in force already.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): It has been ratified, Sir, by the Government.

Shri Asoka Mehta: Then, Sir, I want to raise a point of order. This treaty involves certain financial implications. Under Article 5 of the treaty India will have to pay in ten equal instalments Pounds Sterling 62,060,000.

Sir, apart from the question whether a treaty of this kind can be finalised and implemented by the Government of India and the Government claims that the Government has co-extensive and co-idential powers with the Parliament in the matters of treaty making and treaty implementation, apart from the question whether now that the Supreme Court has ruled that as far as any alienation of territory is concerned it is necessary for the Parliament to come into the picture whether a similar situation arises for alienation of waters which are also major resources of the country, I would invite your attention to this question. Here are financial implications involved. If the treaty has already been ratified, what does this House do? Is this House merely to endorse whatever the Government has done? Then, Sir, even the financial powers of this House are seriously encroached upon and eroded. As far as the English practice is concerned it is very clear. There all treaty making power is in the Crown but wherever any financial implications are there the ratifying authority is the Parliament. We would like to know, Sir, through you, where is the locus of authority as far as ratification of treaties is concerned. I suggest, Sir, that the locus resides in this Parliament and the Government cannot by itself ratify the treaty.

The Minister of Law (Shri A. K. Sen): Sir, may I answer that point? The question of financial appropriation is quite a different matter. It is well known that all appropriations are to have the sanction of Parliament, and I have no doubt that the appropriate Ministry will come up before Parliament when the question of appropriation of that money for this specific purpose arises. But that has nothing to do with the question of ratifying the agreement.

Shri Asoka Mehta: It is not so. In the treaty itself there is a clause. Please refer to Article 5 of the treaty. There are financial provisions. It is said that a sum of Pounds Sterling 62,060,000 specified in paragraph (1) shall be paid in ten equal instalments on the first of November, each year. The first of such instalments shall be paid on the 1st of November, 1960, or, if the treaty had not entered into force, by that date, then, within one month of the date of its having entered into force. Now, that treaty has come into force and the country is already committed to the payment of this money. Whether such a financial commitment the Government can make under the plea that it has the power not only to enter into treaties but even to implement them without bringing the matter to Parliament is a matter of profound importance to this House.

Shri Nath Pai (Rajapur): May I bring to your notice article 253 of the Constitution which may help us in this matter? It is relevant here. The article is fairly clear, and though it does not say "shall", it refers to the powers of this House, and says:

> "Notwithstanding anything in the foregoing provisions of this Chapter, Parliament has power to make any law for the whole or

[Shri Nath Pai]

any part of the territory of India for implementing any treaty, agreement or convention with any other other country or countries or any decision made at any international conference, association or other body."

This bears directly upon the implications of what Shri Asoka Mehta has just now brought to your notice. We therefore, think that this House has got a right in this matter.

Mr. Speaker: So far as this matter is concerned, the provision for entering into treaties is contained in entry 14 of List I. It says:

"Entering into treaties and agreements with foreign countries and implementing of treaties, agreements and conventions with foreign countries".

Article 253 is an enabling provision. Wherever the Government enters into a treaty—Parliament may or may not agree—that primary right under the Constitution is with the Government to enter into a treaty. A number of treaties have been entered into so far, and they have not been brought up for ratification here. It does not prevent the Government from bringing any particular treaty for ratification before signing it, but it is not obligatory upon them to do so. Under article 253, if any hon. Member—in this case, it is Shri Asoka Mehta—wanted to have this matter clarified here, as to whether the House will accept it or not, there are two courses open to him. He may bring it up and ask as to whether the treaty ought or ought not to be accepted. But it is not obligatory on the Government to bring up this matter for ratification before this House.

The other opportunity that the hon. Member has will be, at a time when so many pounds sterling have to be voted, in the House it is open to him to say, "I am not going to grant this amount". If he carries the House with him, the treaty will disappear.

Shri Asoka Mehta: How will the treaty disappear, Sir?

Mr. Speaker: Order, order. I do not think any Government which enters into a treaty and has agreed to pay so much money and is not able to carry the House with it and refuses to pay will continue to be in the saddle. (*Interruption*).

Shri Asoka Mehta: Once the treaty is ratified, the Government may disappear but the treaty remains.

Mr. Speaker: It is so. We cannot now take away powers which have been vested with the Government under the Constitution. This follows the English practice also where no treaties are placed for ratification normally, unless the Government itself wants to do so. Here, it is open to the Government to bring it or not. There will be an occasion for hon. Members to say anything they like at the time when this House will be called upon to vote. Not a single pie out of the Consolidated Fund can be paid to anybody without the sanction of this House. Therefore, by a supplementary grant or otherwise, when it will come before this House, at that time, hon. Members will have the opportunity. So, there is no point of order so far as I am able to see.

Shri Naushir Bharucha (East Khandesh): After payment and ratification, how can the supplementary grant come in? (*Interruption*).

Mr. Speaker: Order, order.

Shri Asoka Mehta: An estimate is brought before us; before the Government itself agrees, this House is given an opportunity to decide whether it should be sanctioned or not. Here, the expenditure has already been agreed to. The plenipotentiary of India has not only signed the treaty but the treaty has been ratified. After

ratification, all that we have to do is to accord post facto approval to something that the plenipotentiary has done.

Mr. Speaker: If hon. Members are not willing and the House does not support the Government in their having entered into a treaty and paying money, the House knows what to do.

Shri Asoka Mehta: They are two different things.

Mr. Speaker: I do not agree there is any point of order. In accordance with previous practice, it is not obligatory on the Government to place treaties before this House for ratification unless, as constituent parts of those treaties, the respective Governments have agreed to place them before Parliament and obtain their ratification. I do not find any such thing here. It is open to Government to accept and ratify, which they have done.

So far as money is concerned, I am not called upon to give any advice now. When the matter comes up, we will know what is to be done.

Shri Asoka Mehta: May I point out that in the matter of Berubari, as you may remember, this question had to be taken to the Supreme Court. The Govenment had claimed that they had the right to make a treaty and to implement it. The Supreme Court said that they had not the right. Here, financial payments are involved. Large sums have to be paid. They cannot even be set off against the debts that Pakistan owes to us. I am not suggesting that we should not accept the treaty or reject it. That is a different matter. But what is the procedure? Is this House a sovereign body as far as financial commitments are concerned, or, is the Government free to make this payment. In the other matter, the Supreme Court had to step in in order to restore to this Parliament the sovereign rights that it possesses.

In this matter, as the Speaker of the House, you must decide whether even in matters involving huge financial expenditure, the Government is free to do what it likes and face us with a *fait accompli*.

Shri Nath Pai: May I raise another point? I refer to article 246 (1) and would read the relevant thing on which we are basing our claims? It says:

> "Nothwithstanding anything in clauses (2) and (3), Parliament has exclusive power to make laws with respect to any of the matters enumerated in List I in the Seventh Schedule....".

It is these powers that we are afraid are being infringed, perhaps unconsciously and unwittingly. Shri Asoka Mehta is making a very fundamental point. The union's executive's right to enter into treaties is accepted, but before implementation, are there not such things as the nation being asked or the Parliament being consulted? The reason is very clear in entry 14 of the 7th Schedule.

> "Entering into treaties and agreements with foreign countries and implementing of treaties, agreements and conventions with foreign countries".

This is the schedule under arfticle 246. The schedule is very clear that notwithstanding anythig, Parliament's power is absolute regarding the treaties with foreign countries. In what way do the Government propose to respect this right? This is the basic issue.

Shri Naushir Bharucha: May I invite your attention to the fact that there are two distinct points contemplated under the point of order raised by my hon. friend Shri Asoka

[Shri Naushir Bharucha]

Mehta. The first is the question of entering into a treaty and ratification of the treaty. That, as you rightly pointed out, is the province of the Government and we cannot dispute that point. The only point that I am raising is that in this particular case, a certain sum of money is proposed to be paid out of the Consolidated Fund of India. If you turn to article 266, sub-article (3) of the Constitution, you will find that it is stated as follows:

> "No moneys out of the Consolidated Fund of India or the Consolidated Fund of a State shall be appropriated except in accordance with law and for the purposes and in the manner provided in this Constitution".

You were pleased to observe that the Government may come with a supplementary demand if neccesary, but the expenditure cannot be incurred until the supplementary demand is granted. Otherwise, what we are doing is, we are circumventing sub-article (3) of article 266.

As I understand—I speak subject to correction—after the treaty comes into force an amount of £62 million odd has to be paid, the first instalment within a month and I am afraid that that period itself practically has elapsed. I do not know when the treaty came into force, but if it does elapse and the amount is paid, then the Government is acting in contravention of sub-article (3) of article 266. I fully agree with Shri Asoka Mehta that it raises a fundamental issue, apart from the question of entering into treaties and ratification of treaties which, I agree, is the province of the Government entirely even ratification in so far as it does not involve financial payment. But where the treaty involves financial payment, as you, Sir observed, the correct procedure is that they must be come with a supplementary demand, and on the supplementary demand coming up, we can raise the issue I submit that any payment of money in regard to the treaty before the Government comes with a supplementary demand will be a violation of article 266(3).

Mr. Speaker: I do not suppose there will be any further argument in this matter. I have already said that there is no point of order so far as earlier portion is concerned. Under entry 14 of List I, the Government has got the right to enter into treaties and implement the treaties. Another hon. Member raised the point that Parliament has exclusive right. Of course it has, but so far as the matters entered in List I, entry 14, are concerned, as opposed to the State List and the Concurrent List—there are State and Concurrent Lists also which do not refer to such matters—they do not help us to decide this matter. The entry is clear. Shri Naushir Bharucha also agrees that in so far as entering into treaties and ratifying them are concerned, the Government has got the absolute right.

So far as the question of payment of money is concerned, they have not come with any supplementary demand here. It is premature for me to come to a conclusion regarding this matter. Therefore, at present there is no point of order.

Shri Braj Raj Singh (Firozabad): In the Supreme Court judgment in regard to Berubari.....

Mr. Speaker: Berubari is irrelevant here. So far as Berubari is concerned, it is transfer of a particular territory. The matter was raised here by Shri Tyagi and the question certainly was whether transfer of territory could be done without law. That is an absolutely different matter.

Shri Nath Pai: Will the House have an opportunity to discuss the treaty?

Mr. Speaker: I do not know. Hon. Members know how to move the House.

Shri Nath Pai: I am not asking about your ruling; I accept it. I am asking the Leader of the House whether the House will get an opportunity to discuss this major treaty involving such a huge financial burden. It is not an ordinary thing that can be hushed up. The whole House has been agonisingly waiting for this treaty and it has come. We shall say the appropriate things when the debate comes, but now I want to know from the Leader of the House whether he will consider the request of the Opposition for a discussion.

Mr. Speaker: I am really surprised. Hon. Members are aware of the procedure. Government by itself has not brought up this treaty for ratification nor has asked this House to exercise its opinion upon this. If any hon. Member wants particular matter to be discussed, there are rules of procedure by which he can always ask that this House should discuss a particular matter. If I give my consent, certainly the House will have an opportunity.

Shri Vajpayee (Balrampur): The hon. Minister has just made a statement; the House can be given an opportunity to discuss that statement.

Mr. Speaker: Let the hon. Members read the statement and then they know how to move this House.

12.33 hrs.

COMMITTEE OF PRIVILEGES

EXTENSION OF TIME FOR PRESENTATION OF REPORT

Sardar Hukam Singh (Bhatinda): I beg to move:

"That the time for the presentation of the report of the Committee of Privileges on the question of privilege regarding alleged aspersions on the Speaker and the House made by Shri Dhirendra Bhowmick in a pamphlet, be extended upto the 23rd December, 1960".

Mr. Speaker: The question is:

"That the time for the presentation of the report of the Committee of Privileges on the question of privilege regarding alleged aspersions on the Speaker and the House made by Shri Dhirendra Bhowmick in a pamphlet, be extended upto the 23rd December, 1960".

The motion was adopted.

MOTOR TRANSPORT WORKERS BILL

EXTENSION OF TIME FOR PRESENTATION OF REPORT OF JOINT COMMITTEE

Shri Mulchand Dube (Farrukhabad): I beg to move:

"That the time appointed for the presentation of the Report of the Joint Committee on the Bill to provide for the welfare of motor transport workers and to regulate the conditions of their work be extended upto the 5th December, 1960".

Shri Tangamani (Madurai): I want to know why the time should be extended, because it is a very small Bill.

Shri Mulchand Dube: Clause-by-clause consideration of the Bill has been finished. There is only one small thing which remains to be done, which could not be done because Rajya Sabha was not sitting and it would involve considerable expenditure to have the meetings. Therefore, the time was extended to save expense.

Mr. Speaker: The qeustion is:

"That the time appointed for the presentation of the Report of the Joint Committee on the Bill to provide for the welfare of motor

[Mr. Speaker]

transport workers and to regulate the conditions of their work, be extended upto the 5th December, 1960".

The motion was adopted.

MAHENDRA PRATAB SINGH ESTATES (REPEAL) BILL*

The Minister of Home Affairs (Shri G. B. Pant): I beg to move for leave to introduce a Bill to repeal the Mahendra Pratab Singh Estates Act, 1923 and to provide for matters incidental thereto.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to repeal the Mahendra Pratab Singh Estates Act, 1923 and to provide for matters incidental thereto."

The motion was adopted.

Shri G. B. Pant: I introduce the Bill.

12.35 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

MOTOR VEHICLES (SECOND AMENDMENT) BILL

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): I beg to move:

"That the Bill further to amend the Motor Vehicles Act, 1939, be taken into consideration".

In pursuance of the decision of the Government to introduce the metric system in weights and measures, it is proposed to introduce the metric units in the motor transport industry as well. The effective date for this purpose is proposed to be 1st January, 1961.

Certain major industrial undertakings like the railways, shipping and certain commercial organisations like the customs, excise and P&T have either already adopted or are going to adopt the metric system. It is obvious that two systems of weights and measures would cause inconvenience and difficulties both to the trade and industry and also to the State Governments. The State Governments would find it difficult to enforce two systems in respect of two different industries or commercial organisations. So, it is desired that we should switch over to the metric system so far as the motor transport industry is concerned.

In this connections, all references in the Motor Vehicles Act to weights and measures have to be converted into the metric system. It is not possible evidently to adopt exact equivalents of existing units of weights and measures in the metric system, because the results would involve fractions. For example, under section 2(9) of the Motor Vehicles Act, a heavy vehicle has been defined as one whose weight exceeds 18000 lbs. The equivalent of 18000 lbs would exactly be 8164.6632 kilograms. So, it has to be rounded off. Rounding off is not permissible under the Standards of Weights and Measures Act, 1956 and it can be done only by an amendment of the Motor Vehicles Act. Hence this Bill.

Motor vehicles legislation is in the concurrent list and rules have been made under that by the State Governments concerned. So, the State Governments on their part will also have to take necessary steps for the changeover. They have already been so advised and I trust that they would take the necessary steps in due course.

So far as the actual conversion of the units is concerned, a technical committee on road transport was set up. It consisted of a few senior State officers and representatives of the

*Published in the Gazette of India dated 14-11-60.

Central Ministries of Transport and Communications, Commerce and Industry and Defence. They have gone into the details in regard to various sections of the Motor Vehicles Act and various amendments have been suggested as a result of the recommendations they have made.

It is evident that some interrgnum has to be allowed during which both the systems should be allowed to be used. Hence one year's time has been specified for this purpose.

This is a necessary measure in pursuance of the policy that has been adopted for the whole country for all the industries and commercial organisations in respect of weights and measures and I hope this House will graciously accept it.

Mr. Deputy-Speaker: Motion moved:

> "That the Bill further to amend the Motor Vehicles Act, 1939, be taken into consideration".

Shri Prabhat Kar (Hooghly): Sir, I support this Bill, as the policy to switch over to the metric system has already been accepted by Parliament. I only want to draw attention to one matter. In the statement of objects and reasons, it is said that it will be difficult for State Governments to have two systems of weights and measures, one for the purpose of trade and another for transport. I would like to submit that when we switch over to the metric system, in the schools only the metric system should be taught to the young boys and girls, so that it will be easy for them to adopt this system when they are grown up and they have to follow this system in every sphere of life. Since the metric system was not prevalent in India in the past even educated persons are not conversant with the metric system.

So far as the suitability of the system is concerned, there are no two opinions; we all know it is a good thing. But when we are taking to this system in every sphere of life we have to see that this system is taught to all the young boys and girls so that the common man and also the young boys and girls can adopt this system without any difficulty. Like the introduction of the naye Paise, the introduction of the metric system also creates lots of trouble among the educated persons unnecessarily, because these are new things which they have never adopted earlier. So, instead of pursuing the old Rupees, annas and pies and miles, furlongs and soon, rupees and naye Paise and the metric system should be introduced and should be taught in the schools so that the boys and girls and the people at large may be able to understand them.

Even we, Members of Parliament, have been given so many brochures about the metric system. But I do not know how many of us know what exactly is a kilogram. I wonder whether even the hon. Minister in charge of this knows it; but that is completely a different matter. If the Members of Parliament, who are supposed to be very intelligent, are not able to understand it, I do not know what would be the fate of the common masses who have no knowledge of this. So, the sooner the changeover in the educational system is made the better it will be. So far as the principle behind the Bill is concerned, that we have adopted long ago.

Shri Naushir Bharucha (East Khandesh): I simply desire to ask on question of the hon. Minister in charge of the Bill. I find from page 9 of the Bill that you are amending the Eighth Schedule, which relates to the speed for motor vehicles. In that Schedule you are converting the speed limits for motor vehicles from miles into kilometres. I was surprised to find from that Schedule that light motor vehicles and motor cycles have no speed limit at all. Since we are amending the Bill, I do not know whether the hon. Minister cannot, in Schedule Eight, add the figure "65" before "60, 50, 40, 35 and 35, for light motor vehicles and motor cycles. As we are now changing the speed from

[Shri Naushir Bharucha]

mile to kilometres, let us take this opportunity to introduce some speed limit for light motor vehicles and motor cycles. After all, they are also as dangerous as any other vehicles. Since there is no speed limit now for for them, I suggest that a speed limit of 35 to 40 miles is more than enough. That would roughly come to 65 kilometres. Nobody can be in such a great hurry that he has to travel at a speed of more than 65 kilometres per hour. This amendment can be done on the spot. I am just making a suggestion.

Shri Raj Bahadur: I think I have not much to say except making a few observations on the remarks that have come from the hon. Member opposite. He has suggested that there should be proper education about the new system and he wanted us to try to make the change over in our class rooms as well so that the difficulties of the change over may not be felt by the young and impressionable citizens of our country. I am quite at one with him that it is necessary to do so. But this particular advice should be addressed to the Ministry of Education. I think they are already bearing it in mind.

Mr. Deputy-Speaker: That is being done already.

Shri Raj Bahadur: The change over is not at all difficult for the children because they are being groomed in the new set up. It is difficult for us, who have already had their education. Our mind is working in a groove and it is difficult for us to get out of the groove. So, it is for us that proper education is needed. Wherever we are, in whatever field of activity we are, it is necessary for us to get out of the groove so that we many educate ourselves and adopt ourselves to the change over.

So far as the point raised by Shri Bharucha is concerned, I would most respectfully point out that the purpose of this Bill is extremely limited and it is only providing equivalents, wherever they are necessary, in the Motor Vehicles Act for miles etc.

Shri Naushir Bharucha: Now I know the mind of the hon. Minister is working in a groove. That is right.

Shri Raj Bahadur: It is not at all working in a groove.

The question is: can we further extend the scope of this Bill? The scope of this Bill is confined to matters connected with the switching over to the metric system. Regarding speed limit Schedule Eight says:

> "If the vehicle is a light motor vehicles. No limit" or a motor cycle.

I am not, off hand, disputing the merit of the point that he has made. It may be worth examination. But, off hand it is not possible for me to do so. I do not know on what considerations no speed limit was prescribed for light motor vehicles and motor cycles. Perhaps they cannot go at a much higher speed.

Shri Naushir Bharucha: Motor cycles? They can go at a speed of 100 miles an hour.

Shri Raj Bahadur: Many may drive fast but perhaps they are not capable of much high speed in cities and towns and so no speed limit is prescribed. That point may be pursued and examined. But that can be incorporated in the Act only when we amend the law substantially. Shri Bharucha's point may be pertinent but, so far as the scope of this Bill is concerned, I do not think it is germane to the main issue. The issue is clear: how to provide the necessary equivalents in metric terms to the various weights and measures which we find in the various sections and provisions of the present Motor Vehicles Act. That is the limited purpose of the Bill and for that I trust this Bill would suffice.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Motor Vehicles Act, 1939, be taken into consideration".

The Motion was adopted.

Mr. Deputy-Speaker: Since there are no amendments to the clauses, I will put all of them together. The question is:

"That clauses 2 to 10, clause 1, the Enacting Formula and the title stand part of the Bill".

The Motion was adopted.

Clauses 2 to 10, clause 1, the Enacting Formula and the title were added to the Bill.

Shri Raj Bahadur: I move that the Bill be passed.

Mr. Deputy-Speaker: The question

"That the Bill be passed".

The Motion was adopted.

12.48 hrs.

EMPLOYEES' PROVIDENT FUNDS (AMENDMENT) BILL

The Deputy Minister of Labour (Shri Abid Ali): Sir, I beg to move:

"That the Bill further to amend the Employees' Provident Funds Act, 1952, be taken into consideration".

Its main purpose is to make provident fund benefits available to a large number of workers.

The principal Act, which now covers about 28 lakhs of workers in 7,726 different establishments, is applicable to undertakings with a minimum employment strength of 50 workers, the only exception being the newspapers where this figure has been reduced to 20 workers. The minimum employment limit of 20 is now being made the general rule so that persons working in smaller units may also enjoy the same benefit as those working in larger establishments.

The working of the Act has shown that sometimes attempts have been made to evade obligations by reducing the number of employees below the prescribed minimum. We are now providing that once an establishment comes under the Act, the position will not be affected even if its employment strength goes down unless it fall below 15 and remains there for a continuous period of one year.

Another provision in the Bill is that the different departments and branches of an establishment situated in the same place, or in different places, would be taken together and collectively treated as one establishment for the purposes of the Act. This will ensure that even if the number of workers employed in a particular department is below the prescribed minimum, they will also be entitled to the benefits under the Act if all the branches and departments taken together employ 20 persons.

The workers employed in seasonal establishments will also benefit from the provisions of the Bill. In the sugar industry, for instance, the workers get a retaining allowance during off-season. Such allowances in the sugar factories or elsewhere would now be taken into account for the purpose of calculating provident fund contributions.

While proposing to extend the coverage of the Act we have felt that co-operative societies and cottage and small-scale industries deserve some special consideration. It is, therefore, proposed to exclude from the purview of the Act co-operative societies employing less than 50 persons and working without the aid of power. As regards small and cottage industries, those employing between 50 and 20

[Shri Abid Ali]

persons will enjoy an initial exemption from liabilities under the Act for a period of five years instead of three years allowed to others.

The hon. Members will see that this is a simple Bill intended to bring retirement benefits within the reach of workers even in small establishments and at the same time provide a measure of relief to co-operative and small industries. I commend the Bill for consideration by the House.

Mr. Deputy-Speaker: Motion moved:

> "That the Bill further to amend the Employees' Provident Funds Act, 1952, be taken into consideration."

There is a motion for circulation standing in the name of Shri Naldurgkar. Is he going to move it?

Shri Naldurgkar (Osmanabad): Yes, Sir. I beg to move:

> That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st January, 1961.

Mr. Deputy-Speaker: Both the motions are now before the House.

Shri S. M. Banerjee (Kanpur): Mr. Deputy-Speaker, Sir, I welcome this Bill. It is really very heartening to know that Government have come out with the Bill and wants to extend provident fund benefits to workers in those establishments where less than 50 persons are working.

As far as I know provident fund is the only saving which the workers can have after retirement. I would have welcomed had another Bill been brought raising the provident fund contribution, that is, the employer's share, from 6¼ per cent. to 8.1/3 per cent. When we discuss provident fund for employees both in the public and the private sectors the question arises whether the employers are doing justice and whether it is not high time that the contribution is increased from 6¼ per cent. to 8.1/3 per cent. Questions after questions have been asked in this House by all hon. Members belonging to the various political parties to this effect and it is really very unfortunate that no decision has yet been taken by Government to persuade the employers to agree to this suggestion which the Government has accepted in principle and also want to see that the same is implemented.

The question of granting exemptions has been raised in this Bill. I agree that there may be co-operative societies or small-scale industries which may not be able to pay provident fund to their employees. But is it not a fact that co-operative societies in this country are given enough aid either by the Central Government in certain cases or mostly by the State Governments? They are also assured a reasonable profit. I know that the formation of a co-operative society is not to earn money or to make profits, but unless a co-operative society is mismanaged or unless there is a drainage of funds going on, I am sure the co-operative societies earn a reasonable profit and are in a position to pay to their employees a meagre amount at the rate of 6¼ per cent. as provident fund. As I said in the beginning, provident fund is the only real saving in a worker's life and it should not be denied to any worker whether he works in an establishment where there are less than 50 persons or 20 persons working or whether it is a co-operative society or a cottage industry. So my suggestion is that this should be reconsidered.

I know some of the co-operative societies in Uttar Pradesh. I do not say that they are making fabulous profits but they are making good profits and are able to pay their employees this meagre amount. So why should we anticipate certain things? I want to know from the hon. Deputy Minister whether the members or representatives of cooperative societies or of the cottage industries actually approached

the Government and wanted exemption or whether Government on their own have considered this matter and granted exemption to them. It should be made clear to us. I know that there are many co-operative societies which want to pay provident fund to their employees. Why should they be granted exemption like this? If they want to pay, they should be allowed to pay. If they do not want to pay, a proper assessment of whether the co-operative society is running at a loss or is working on a no-profit basis or at a reasonable profit should be made. If a reasonable profit is there, I am sure those employees can be covered by this Act.

It is a welcome feature of the Bill that it is going to be extended to those establishments where less than 50 persons work. But I do not know what the fate of this Bill will be. At present many big industrial units which are capable of paying are not paying though under the Act they are liable to pay. The hon. Deputy Minister, Shri Abid Ali, will kindly bear me out when I say that there is a huge amount of arrears of provident fund which has not been recovered. Employers have been prosecuted. So, when it comes down to these establishments which are not so well-off, I do not know what will happen to this Bill. Therefore I would also like to know what concrete steps Government has taken to realise those arrears and to see that the dues are paid regularly.

I come from a place which is much known for its various industries. I am really sorry to say that the whole capital of the millowners who are capable of paying and who are making fabulous profits is from non-payment of Government dues. It is most unfortunate that they do not pay income-tax, sales-tax, gift tax, wealth-tax, electricity charges, water charges, provident fund contribution and employees' State Insurance contribution. They are all my voters but unfortunately I have to mention their names. I am really sorry for that. What machinery are you going to evolve to see that the employers do not fall in arrears and pay their contributions regularly? Otherwise, it will be difficult for a worker to get the amount when he retires. That is my view.

Another thing that I want to mention is about the Provident Fund Rules as such. I request the hon. Minister to consider the various aspects of the Provident Fund Rules. There are certain lacunae in the Rules which, I feel, if correctly assessed and discussed will be removed.

I also welcome the inclusion of seasonal employees who are given the retaining allowance by the sugar millowners during the off-season. They will also be entitled to get provident fund.

13 hrs.

I am sure that this Bill will be hailed by all sections of workers. It would have been hailed more loudly and with greater enthusiasm had it also been declared by the Government that the contribution is going to be increased from 6¼ per cent. to 8.1/3 per cent.

With thes words I support the Bill and I request the hon. Deputy Minister to consider my points and, if possible, to accommodate them.

Shri Naldurgkar: I have already moved an amendment to circulate the Bill for eliciting public opinion thereon.

The main purpose of my amendment is this. There are vast numbers of establishments, as well as employees employed in those establishments throughout the country. They should be in a position to know the exact provisions of this Bill, to contribute their share as far as possible to the provident fund, and whether they should make an increase in the contribution or a decrease. That is the main object.

As this Bill has been introduced in 1960 it seems that there is sufficient

[Shri Naldurgkar]

material before the Government that these establishments employing less than fifty persons are in a position to contribute towards the provident fund. If that is the case, I find that no reasons have been mentioned by the Government as to why the powers under the original Act have not been exercised till now. For, section 1 of the principal Act provides:

> "Provided that the Central Government may, after giving not less than two months' notice of its intension so to do, by notification in the Official Gazette, apply the provisions of this Act to any establishment employing such number of persons less than fifty as may be specified in the notification."

When under this provision the Government was vested with power to extend the provisions of this Act to any establishment employing less than fifty, I do not know why this Bill has been introduced at this juncture in this Parliament. Because, even under the present Act Government is vested with the power to extend the provisions of this Act to any establishment employing less than fifty—'less than fifty' means it could be anything from zero to fifty. When that was the power vested already in the Government I do not know why the specific number of twenty has been mentioned in the present Bill. Perhaps the main intention of introducing this Bill is to lead the public into oblivion as regards the dereliction of duty on the part of the Government; because this Act must have been retrospectively extended.

What is the position? This Act came into force in 1952. From 1952 to 1960, that is during these eight years, all the employees working in establishments which employ between twenty and fifty persons—and there are a large number of such establishments—have been deprived of the benefits of this Act, because Government have not extended these provisions to these establishments. My opinion is that these employees must be in a position to know or they must be in a position to suggest to Government as well as to this Parliament that this Act must be made applicable retrospectively; that is to say, after the passing of the principal Act, the provisions of that Act should now be made applicable retrospectively to all establishments which had employed less than fifty and up to twenty persons. From twenty to fifty, this Act must be made retrospectively applicable. That is my reason. Therefore I want to know from the hon. Minister as to why the powers that were vested under section 1 of the principal Act of 1952 were not exercised by Government and why the provisions of the Act were not made applicable to those establishments which had already employed less than fifty persons.

Then, in clause 2 of the present Bill there is a provision that if the number of persons is reduced after the lapse of one year, the employer should inform the Government or the authority in that respect; and it seems that the provisions of this amending Bill will not be made applicable to them. My opinion is that this will be a kind of weapon in the hands of the employers. They will surely try to reduce the number of employees; and there are no safeguards in this Bill against such reduction. There is the danger that the employers will surely reduce the number of employees in their establishments and will try to impress upon the Government and, according to the provisions of this Bill, will try to avoid the contribution to the provident fund. Therefore I am of opinion that as far as the provision in clause 2 is concerned there is no necessity for this provision.

Again, according to proposed sub-clause (b) of section 16(1)—clause 5 of the Bill—"This Act shall not apply to any other establishment employing fifty or more persons or twenty or more, but less than fifty persons until the expiry of three years in the case of the former and five years in the case of the latter, from the date on which the establishment is, or has been, set up."

With great respect I submit that the provisions of clause 5 will be discriminately, because no reason has been mentioned in clause 5 as to why this discrimination has been made. So I am of the opinion that three years should be made applicable to all establishments, because between those establishments employing more than fifty persons and those establishments employing more than twenty but less than fifty persons, there should be no distinction as far as this law is concerned.

Again, those establishments which have already been set up three years ago must be retrospectively brought under the provisions of this Act, because then a large number of employees will benefit thereby. The employers will also be in a position to know whether, having regard to the financial condition of their establishment, they will be able to contribute something according to the provisions of this Act.

With these words I request the House to accept my amendment.

Shri T. B. Vittal Rao (Khammam): I whole-heartedly welcome this measure. By this amending Bill we are extending the scope of the Employees' Provident Funds Act to those establishments, factories and mines employing less than fifty but more than twenty employees. This is in consonance with the demand made by the organised labour which has also been accepted in a tripartite conference. So I am very happy that this amending Bill has come. The Employees' Provident Funds Act covers 28 lakhs of workers, and by this measure it is going to be much larger. I was reading an I.L.O. publication on Social security measures in various countries. Speaking of India, that publication said that India is in its very initial stages with regard to social security measures. Therefore, any measure which is brought to benefit the workers would be very welcome to organised labour.

I am very happy that advantage has been taken of our experience of the working of various Acts and suitable provision included here. For example, we passed the Plantation Labour Act. After that Act was enforced, you saw fragmentation of the plantations so that they could avoid the enforcement of the Act. Then, we had to bring an amendment and the amendment was passed last session. That experience has been taken into consideration and they have provided suitably under which establishments which employ 20 and above cannot escape the enforcement of this Act. I welcome that safeguard provided to the workers.

The retaining allowance, which is paid to the workers engaged in the sugar factories during the non-crushing season is very meagre. The amount is very small. Any cut for provident fund would bbe a cut in this meagre pay packet. All the same, I welcome this because it provides for the employer's contribution. From that angle, I welcome this piece of amendment.

I oppose clause 5 in its entirety This clause provides for exemption of co-operative societies employing 50 and less, without the aid of power. I oppose this clause because, already in the principal Act, in section 16 (2) we have got enough powers under which they can exempt any factory, mine or establishment from the operation of this Act. If any co-operative society or any cottage industry, employing 20 and more, is not functioning properly and is not able to pay for its workers, the Government can exercise the powers under section 16 (2) and exempt it from this Act. I may illustrate by giving one example, a very notable example. In my State, there is a co-operative spinning mill in Guntakkal. It was employing 1200 workers and it was making good profits. It was avoiding the enforcement of this Act saying that it is a co-operative spinning mill. When the matter was brought up, in January, 1960, I referred it to the Ministry. We learn that the Act should have been enforced on that mill from 1st March,

[Shri T. B. Vittal Rao]

1957. That is, the Ministry, the Commissioner, and the Regional Commissioner for Provident Fund have been keeping quiet for three years.

13.15 hrs.

[PANDIT THAKUR DAS BHARGAVA *in the Chair*]

They had written one letter or two letters. But, that did not bring any result. The factory has avoided the enforcement of this Act for three years. About arrears, I do not know what is the position. This factory should have paid arrears. Not only arrears, but damages equivalent to 25 per cent. should have been collected. I do not know what has happened. I got a letter from the Ministry only the other day stating that this Act has been enforced from 1960. They gave some date, I do not remember. They do not say a word about the arrears from 1st March, 1957. They do not say a word about the damages that the factory has to pay, equivalent to 25 per cent. of the employers' contribution. From this example, I oppose clause 5. Sufficient powers are vested under section 16(2) of the principal Act.

Another funny thing has entered clause 5. It is stated that establishments, factories or mines, employing 20 or more, can be exempted if they are new establishments for a period of 5 years. I do not know why 5 years have been put in here. When the original Act was passed, we said, factories employing 50 and above will be exempted initially for 3 years if they are absolutely new establishments, from the date of establishment. Here, when we come to the question of reducing the limit from 50 to 20, we are conscious of the fact that they will be fit for paying employer's contribution. But, you say that they will be exempted for 5 years as against 3 years which was provided originally. I do not know who has advised the Ministry to increase this period. Therefore, I entirely oppose clause 5.

Then, I come to another aspect. My hon. friend Shri S. M. Banerjee has also referred to defaulting employers. Considering the amount we have collected during so many years, this sum of Rs. 2 crores pending with the employers is not a big amount. We have collected by way of provident fund nearly Rs. 200 crores. But, I do not want the employees of any concern to suffer simply because the employer has not paid. It is up to the Government to take proper, timely action for the recovery of this amount. If they failed to take action in time, why should the employee be punished? So, I welcome the creation of Special reserve fund which the Ministry has created recently. This has also been the demand of organised labour for a pretty long time. I specially thank the Deputy Minister of Labour. I had a talk with him. Immediately he brought the subject before the Standing Labour Committee in which it was discussed and a decision taken. I am not aware of the full implications of the scheme. All the same, I welcome that so that nobody covered by the Act will go unpaid.

In this connection, I wish to draw the attention of the Minister to two facts. The Commissioner of Employees Provident Fund has made certain proposals to the Government. This has been mentioned in the Annual Report for 1959. The first proposal is that non-payment of provident fund dues should be made a continuing offence. This is a very important point. If an employer fails to pay and if it is made a continuing offence, it will be very easy to realise the money and we may not have the arrears of Rs. 2 crores. The second proposal is that the provident, fund amount should get overriding priority over other priority creditors in the event of an establishment being wound up or going into liquidation. These proposals were submitted to the Government a year ago. I do not know at what stage they are: whether they have been examined or whether a decision has been taken or not taken. I would strongly urge on

the Government to take a decision on the proposals very early.

For a long time we have been asking the Government to reduce the period of eligibility for getting the full contribution of the employer. At present, unless a worker has put in 15 years of service in the mine, factory or establishment, he is not eligible to get the full contribution. We have been asking the Government to reduce this period to three years. The employer's contribution rightly and legitimately belongs to the particular worker, and it cannot be denied to him simply because he has not had the opportunity to serve for 15 years. In these days closures etc., some difficulties arise, but in the case of *bona fide* closures we are given full benefit. But why keep such a long period? It might be argued on behalf of the Government that the money goes to the other workers. It is taken away from one worker and given to another. I know it goes to the employees' provident fund, but by all cannons of justice, the money is legitimately due to the particular worker. It must be paid to him if he has put in three years of service.

The question of the rate of contribution has been hanging fire for a very long time. I have time and again pointed out in this House that when the labour policy was being drafted in the Second Plan, the rate was about to be increased from 6¼ per cent. to 8.1/3 per cent. Then the Planning Minister, Shri Nanda, told us that he was thinking of imposing a levy on the employers for housing, and so he was not prepared to increase it. We accepted that. At the same time he assured us that this matter would be studied further. The study group appointed by the Government, which consisted only of officials, also recommended that the Government, if it was to provide for full social security measures, should immediately enhance the rate of contribution from 6¼ to 8.1/3 per cent. but now we are told that a technical committee is being appointed to go into the question. On behalf of the A.I.T.U.C. we made it clear that we could not co-operate with this committee, that we would boycott it. If you take the Indian labour statistics, you will see very easily that a particular industry can easily bear so much additional liability and burden, but they do not go by it. They say that if they increase the rate, there would be closure. Such a threat is held out.

I will give you a simple example. If the rate of contribution is increased from 6¼ to 8.1/3 per cent. for the coal industry, the additional burden on the employers would be Rs. 75 lakhs. It was said that as a result of it coal prices would have to be increased which they were not prepared to do. Soon after that statement by the Government, the Railway Minister increased the freight charges on coal by 5 per cent., which has resulted in the consumer paying more than Rs. 2 crores extra. When for raising the contribution it was said they could not raise the price of coal to the consumer to cover Rs. 75 lakhs, how could they raise it by Rs. 2 crores when they wanted it?

I want the various officers connected with this organisation to act more vigorously and pursue the prosecutions, not to delay matters as they have done in the case of the Andhra Co-operative Spinning Mills. Out of 1,419 prosecutions launched I find there have been only 603 convictions. And this conviction is a farce because an establishment or a factory which has to pay Rs. 1 lakh is let off with a fine of a small amount. Naturally it is prepared to pay the fine rather than pay Rs. 1 lakh. Therefore, I would like this scheme to be amended. The officers in charge should be more vigilant and act more vigorously.

With the exception of Clause 5, I wholeheartedly welcome the measure.

श्री रामसिंह भाई वर्मा (निमाड़) : श्रीमान्, जो अमेंडमेंट हाउस के सामने पेश किये गये हैं, उनका कुछ हद तक मैं समर्थन करता हूं । जो श्रमिक अपनी मेहनत मजदूरी से पेट भरता है उसके लिये प्रावीडेंट फंड एक बहुत

[श्री रामसिंह भाई वर्मा]

ही जरूरी चीज है । वह उसकी मेहनत का हिस्सा है । जिस प्रकार जो पढ़े लिखे लोग दफ्तरों में जाते हैं उनके लिये साइकिल, घड़ी, पैन और स्त्री जरूरी हैं, उसी प्रकार एक मेहनतकश के लिये उसका प्रावीडेंट फंड भी निहायत जरूरी है । एक श्रमिक के लिये एक प्रावीडेंट फंड ही ऐसी चीज है जो उसकी बेवा की मदद कर सकता है । अगर इस प्रावीडेंट फंड को स्त्रीधन कहा जाये तो बहुत अनुचित नहीं होगा ।

पहला संशोधन ५० से घटा कर जहां २० काम करते हों वहां भी यह एक्ट लागू करने का है । मैं यह मानता हूं कि अगर ५० की संख्या घटाकर २० की गयी तो देश के काफी श्रमिकों को इसका लाभ होगा और हमारी प्लान में भी इस प्रावीडेंट फंड से काफी मदद होगी । इसका मैं स्वागत करता हूं ।

लेकिन एक निवेदन इसके साथ करना चाहता हूं कि कुछ श्रमिक ऐसे हैं कि जहां पर वे काम करते हैं उनकी संख्या तो बहुत कम है लेकिन उस कनसर्न के अन्दर प्राफिट बहुत होता है, लेकिन उन श्रमिकों के वेतन बहुत कम होते हैं और उन्हें प्रावीडेंट फंड आदि नहीं मिलता । वह श्रमिक हैं खासकर बढ़े लिखे, गुमाश्ते, मध्य वर्गीय । इस अमेंडमेंट से उनको फायदा मिलने वाला नहीं है । तो गवर्नमेंट को इस पर भी विचार करने की जरूरत है कि जो ग्रेजुएट हैं, मैट्रिकुलेट हैं, अच्छे पढ़े लिखे हैं, मिडिल क्लास के हैं और वे ऐसे कनसर्न में काम करते हैं कि जहां पांच सात , ८ या १५ आदमियों की जरूरत पड़ती है, लेकिन वे कनसर्न इतना ज्यादा कमाते हैं कि जितना वे कनसर्न भी नहीं कमाते जहां ५० श्रमिक काम करते हैं। जो संशोधन लाये गये हैं उनसे इस मध्यम वर्गीय गुमाश्तों को फायदा मिलने वाला नहीं है । इसलिये मेरा निवेदन है कि गवर्नमेंट को इस बारे में भी विचार करना चाहिये और कोई दूसरा अमेंडमेंट इस तरह का लाना चाहिये कि इन पढ़े लिखे मध्यम वर्गीय गुमाश्ता लोगों को भी यह फायदा मिल सके ।

रिटेनिंग एलाउंस संबंधी संशोधन भी बड़ा महत्व रखता है । आइ० एन० टी० यू० सी० की तरफ से एक दो बार मिनिस्टर साहब का ध्यान इस ओर दिलाया गया है कि सीजनल शुगर फैक्टरीज में लाखों लोग एक खास काम करते हैं और उनको रिटेनिंग एलाउंस मिलता है । उनका प्रावीडेंट फंड भी काटा जाता है, लेकिन उसमें उनका रिटेनिंग एलाउंस शामिल नहीं किया जाता और उस पर प्रावीडेंट फंड नहीं काटा जाता । पर यह भी तो उनकी मेहनत का हिस्सा है । गवर्नमेंट ने भी इसको महसूस किया है । इसी आधार पर यह अमेंडमेंट लाया गया है । इसका भी मैं हार्दिक स्वागत करता हूं क्योंकि इससे भी लाखों श्रमिकों को फायदा मिलेगा । तीसरा अमेंडमेंट कोआपरेटिव सोसाइटीज के बारे में है । मुझे अभी तक यह समझ में नहीं आया कि कोआपरेटिव सोसाइटीज की संख्या के अन्दर यह तरमीम २० और ५० के अन्तर्गत अलग क्यों की गई है ? आज कोआपरेटिव सोसाइटीज भी ऐसी हैं कि जिनको शोषण करने वाले लोग भी चला रहे हैं । उनके अन्दर हद से ज्यादा प्राफिट होता है लेकिन वे प्राविडेंट फंड का पैसा जमा नहीं करातीं । कुछ ऐसे लोगों ने यह बीड़ी उद्योग शुरू किया है और वहां कोई १५, २० या २५ आदमी उन्होंने रक्खे हैं और कहीं पर ३० रक्खे हैं और उसमें बेशुमार मुनाफा कमाते हैं । कमाई का धंधा इतना है कि बम्बई के अन्दर मिनिमम वेजेज ऐक्ट लागू किया तो उन कोआपरेटिव सोसाइटीज को वहां से खत्म करके मध्य प्रदेश में कायम किया । मध्य प्रदेश में मिनिमम वेजेज ऐक्ट लागू किया तो वहां से खत्म करके दूसरी जगह ले गये लेकिन हैं सब जगह वही अप्पस के भाई बन्द । मैं तो आप से यह निवेदन करना चाहता हूं कि कोआपरेटिव सोसाइटीज को इस तरह की छूट देना ठीक

न होगा। वह ५० आदमी से कम आदमी रख लेंगे, अलग अलग ग्रुपों में बैठा लेंगे इसलिये कोआपरेटिव सोसाइटीज को भी यह छूट नहीं दी जानी चाहिये।

इस के बाद मैं यह निवेदन करना चाहता हूं कि प्राविडेंट फंड्स के मूल ऐक्ट के अन्दर जो खामी है उसका भी बड़े बड़े उद्योगपति नाजायज फायदा उठा रहे हैं और वह है २४० दिन की कैद। एक श्रमिक जिसकी कि १२ महीने की कंटीनुएस सर्विस होती है और २४० दिन की हाजिरी होती है तो उसका प्राविडेंट फंड काटा जाता है वरना उसका प्राविडेंट फंड नहीं काटा जाता है। हालत यह हो गई है कि कितने ही मजदूर हैं जो कि काम छोड़ कर जाते हैं और उनकी खाली जगहों पर जो बदली वाले रखने चाहिएं तो उन बदली वालों की इतनी ज्यादा संख्या रखते हैं कि उन्हें महीने के अन्दर ५, ५ और ६, ६ दिन भी काम नहीं मिलता लेकिन उन्हें अपने कार्ड पर हाजिरी लगवाने के लिए रोजाना कारखाने पर आना पड़ता है। बदली वालों की संख्या ज्यादा जानबूझ कर रक्खी जाती है ताकि उनकी हाजिरी साल भर के अन्दर २४० दिन की न होने पाये। जो वैकेंसीज होती हैं उन पर वैकेंसीज से कहीं अधिक बदली वाले रख लिये जाते हैं। एक जगह खाली होती है तो उस पर एक ही बदली वाले को नहीं रखते और होता यह है कि आज उसे रक्खा तो कल किसी दूसरे को रक्खा और परसों किसी और तीसरे को काम पर रक्खा। इस तरीके से ३, ३, और ४, ४ वर्ष तक खाली पोस्ट्स पर यह बदली वाले काम करते हैं लेकिन उनकी २४० दिन की हाजिरी नहीं हो पाती है और बदली वालों को अधिक संख्या में रखने का एक मकसद यह है कि २४० दिन की हाजिरी किसी भी श्रमिक की १२ महीने के अन्दर न होने पाये और उन्हें प्राविडेंट फंड न देना पड़े। मेरा यह निवेदन है कि श्रीमन्, को इस बारे में भी विचार करने की जरूरत है कि जब एक वैकेंसी होती है जगह खाली होती है तो उसके ऊपर आदमी फौरन आना चाहिय और वह उसके ऊपर परमानेंट होना चाहिए और उसको प्राविडेंट फंड का बराबर फायदा मिलना चाहिए। एक श्रमिक को तीसों दिन कारखाने के अन्दर आना पड़ता है और यदि उसको केवल महीने में ४, ५ या ६ दिन ही काम मिले तो उस हालत में तो उसको रोजाना कारखाने में आने जाने का किराया भी नहीं मिलता है यह भी विचार करने की जरूरत है।

इसी के साथ साथ प्राविडेंट फंड एथौर-टीज जोकि आप की स्टेट्स के अन्दर हैं उन्हें आप एफेक्टिव बनाइये। हालत यह हो गई है कि बड़े बड़े कारखाने हैं जिनके कि अन्दर लाखों करोड़ों का शेयर कैप्टिल है बड़े भा ी भारी उद्योग धंधा चलाते हैं, लाखों और करोड़ों रुपया इधर से उधर करते हैं लेकिन एक श्रमिक जो काम करता है उसकी मजदूरी में से जो प्राविडेंट फंड की रकम काटी जाती है कानून के अनुसार २० दिन के अन्दर अन्दर वह अधिकृत स्थान या सररकारी खजाने में जमा हो जानी चाहिए लेकिन श्रीमन्, महीने महीने, दो दो महीने और ४, ४, ६, ६, और कभी कभी १२, १२ महीने तक वह रकम सरकारी खजाने में जमा नहीं होती है और उसमें श्रमिक को जो कष्ट होता है उसका आप बखूबी अन्दाजा लगा सकते हैं। कभी कभी तो यह कारखाने बन्द हो जाते हैं और २, २ और ३, ३ साल तक वह रकम श्रमिकों को नहीं मिलती है। ऐसी हालत में गवर्नमेंट फिर यह विचार करती है कि भाई कि यह जो प्राविडेंट फंड और यह जो सारे कारखाने बन्द हो जाने के कारण श्रमिक को वह रकम नहीं मिल पाई है तो उसकी भरपाई करने के लिए कोई फंड इकट्ठा किया जाय। मैं तो कहूंगा कि आखिर यह हालत पैदा

[श्री रामसिंह भाई वर्मा]

ही क्यों हो ? जब पार्लियामेंट एक कानून बनाती है और उस कानून के अन्तर्गत एक कारपोरेशन बनाती है तो सरकार का यह काम है कि वह देखे कि जब सरकार पर विश्वास करके श्रमिक ने प्राविडेंट फंड स्कीम लागू करना मंजूर किया है और जो उसकी रकम काटी जाती है वह उसको मिले । अब यदि एक एम्पलायर है जो कि अपने कर्मचारियों की प्राविडेंट फंड की रकम जमा नहीं करा रहा है तो गवर्नमेंट को यह देखना है कि कानून के अनुसार उसके ऊपर क्या कार्यवाही करनी चाहिए । अनुभव यह बतलाता है कि एक श्रमिक अगर कानून के बरखिलाफ कोई काम करता है तो उसे अपनी नौकरी से रोजी से हाथ धोना पड़ता है और कभी कभी तो उसे जेल तक की भी हवा खानी पड़ती है लेकिन यह एम्पलायर्स लोग जो कि लाखों रुपयों का इस तरीके से गोलमाल करते हैं, गवर्नमेंट ऊंचा हाथ करके उनके सामने खड़ी हो जाती है और उनके खिलाफ कोई कार्यवाही करने की उसकी हिम्मत नहीं होती है ।

मैं अपने यहां के एक कारखाने की बात करूं । सन् १९५८ में उस कारखाने के मालिक ने ५ लाख रुपया प्राविडेंट फंड का जमा नहीं कराया। सेंट्रल गवर्नमेंट की तरफ से उसके बारे में एक एनक्वायरी कमेटी बिठाई गई और उस कमेटी ने यह कहा कि नवम्बर १९५८ तक इस कारखाने ने ५ लाख रुपया प्राविडेंट फंड का जमा नहीं कराया है । आज नवम्बर, १९६० है । लगभग २० लाख रुपया इस करखाने के मालिक ने आज तक जमा नहीं कराया । इतनी रकम जमा हो गई । अब अगर कल कल को कारखाना बन्द हो गया तो क्या हालत बनेगी ? उस कारखाने के ऊपर पहले ही फाइनेंशिएल कारपोरेशन का ७, ८ लाख रुपया निकलता है और कभी कभी दो, तीन महीने का मजदूरों का वेतन चढ़ जाता है । सारे कारखाने की कीमत इनक्वायरी कमेटी के हिसाब से २५ लाख की है और अगर उस कारखाने को नीलाम किया गया, उस कारखाने को बेचा गया तो २५ लाख रुपये से ज्यादा आने वाला नहीं जिसमें २, ३ महीने की मजदूरों की तनख्वाह है, २० लाख रुपया प्राविडेंट फंड का है और ७, ८ लाख फाइनेंशिएल कारपोरेशन का है । अब श्रीमान् यह जवाबदेही किस की है ? मेरी समझ में यह गवर्नमेंट की जवाबदेही है जिसने कि यह प्राविडेंट फंड ऐक्ट बनाया और जिसके कि आधार पर श्रमिकों ने उसे स्वीकार किया । मेरा यह निवेदन है कि यह जो बड़े बड़े कारखानेदार जिनका शेयर कैप्टिल ५०, ६० लाख है और जिनका कि टर्न ओवर ४ करोड़ के करीब है उनकी मैं बात कर रहा हूं जहां २० श्रमिक काम करेंगे। इनका टर्नओवर क्या होगा ? इनका शेयर कैप्टिल क्या होगा ? उन की पूंजी क्या होगी ? मान लीजिये कि आपने अगर प्राविडेंट फंड लागू किया जोकि अमेंडमेंट है और आपकी एथारिटीज दुशाला ओढ़ कर सोती रहीं तो क्या हालत होगी ? लाखों श्रमिकों का नुकसान होगा । मेरा तो यह निवेदन है कि कानून के साथ साथ सरकार को यह देखना भी बहुत जरूरी है कि प्राविडेंट फंड की रकम समय के अन्दर निश्चित स्थान पर जमा होती है अथवा नहीं । इसमें सरकार को किसी तरह की ढील नहीं करनी चाहिए । हर एक एम्पलायर इसमें गड़बड़ करने की कोशिश करता है मैं समझता हूं कि मिलों पर लगभग ४, ५ करोड़ रुपया प्राविडेंट फंड का है और उसे आज एम्पलायर्स हजम करके बैठे हुए हैं और मजदूर केवल भागवान के भरोसे बैठे रहें यह कदापि उचित नहीं है । मेरा यह निवेदन है कि प्राविडेंट फंड की रकम समय के भीतर वसूल हो । अब एक दो

दफे हाउस के अन्दर ऐसे जवाब दिये गये हैं और यह सोचा गया कि अगर रकम वसूल की गई तो कारखाना बन्द हो जायगा तो इसके लिए मेरा कहना है कि यह धमकियां तो रोजाना आती हैं । एक्साइज डियूटी में छूट पाने के लिए कारखाना बन्द करने की धेमकी, भाव बढ़ाने के लिए कारखाना बन्द करने की धमकी मतलब यह कि हर एक अपनी बात और मांग मनवाने के लिए आये दिन यह मिलमालिक कारखानेदार अपने कारखाने बन्द करने की धमकी दे दिया करते हैं और वे गवर्नमेंट की कमजोरी बखूबी समझ गये हैं । मेरा निवेदन है कि गवर्नमेंट को इसके लिए एक साहस का काम करना चाहिए ।

एक बात मैं और निवेदन करना चाहता हूं कि नये कारखाने बनते हैं और चालू होते हैं । उन कारखानों को ५, ५ साल की की छूट आप देते हैं और इस प्रकार की छूट देते हैं कि पांच साल तक या तीन साल तक प्रविडेंट फंड की रकम नहीं काटी जायेगी मैं यह बताने के लिये तैयार हूं कि एक कारखाना चालू किया गया और दूसरे साल उस ने एक करोड़ रुपए का प्राफ़िट किया। आज वह कारखाना प्रति-दिन एक लाख रुपए का प्राफ़िट कर रहा है । मैं मानता हूं कि कैपेसिटी टु पे को दखना चाहिए--इस बात को देखना चाहिए कि किसी कार खाने में प्राविडेंट फ़ंड को लागू करने से उस की हालत क्या होगी । यह देखने में कोई एतराज़ नहीं है । लेकिन उस को पहले ही से यह सर्टिफ़िकेट दे दिया जाय कि पांच साल तक उस कारखानें के श्रमिकों का प्राविडेंट फ़ंड नहीं काटा जायगा यह ठीक नहीं है । मैं आपको बताना चाहता हूं कि अथारिटीज़ क्या करत हैं । एक कारखाना बन्द हो गया, क्योंकि उस की मशीनरी चलने जैसी नहीं थी । दूसरे कारखान ने उस को खरीद लिया और चालू कारखान के साथ उस को मिला दिया गया । उस में नई मशीनरी, नए स्पिंडल्ज़ लाकर डाल दिए । वह एक लिमिटिड कनसर्न हो गया । उस के बाद जब वह चालू होता है, तो श्रमिकों का प्राविडेंट फंड न काटा जाय, एसा अथारिटीज़ ने उस कारखानेदार को लिख कर दे दिया । उस के दो तीन माह बाद मुझ मालूम हुआ कि श्रमिकों का प्राविडेंट फ़ंड नहीं काटा जा रहा है, हालांकि जिस लिमिटिड कम्पनी में वह मर्ज हो गया है, वहां प्रोविडेंड फ़ंड सब को मिल रहा है । मैं ने इस बारे में गवर्नमेंट से लिखा-पढ़ी की चार साल हो गए हैं, लकिन अभी तक कोई जबाब नहीं मिला है । प्रश्न यह है कि गवर्नमेंट ने उस को क्यों छूट दी । जहां तक नई मशीनरी लगान का सवाल है, स्पिडल्ज़ और लूम्ज़ की रीप्लेसमेंट का सवाल है , वह तो हर टैक्स्टाइल मिल में हो रहा है । अगर उस में पुराने की जगह नए स्पिडल्ज़ और लूम्ज़ डाल गए, तो प्राविडेंट फ़ंड की छूट नहीं दी जानी चाहिय थी । अगर उस को किसी चालू मिल के साथ मर्ज कर दिया गया, तो भी मज़दूर प्राविडेंट फ़ंड पान के अधिकारी थे । इन दोनों हालतों में प्राविडेट फ़ंड बन्द नहीं होना चाहिए था । मैं ने गवर्नमेंट को इस बारे में लिखा, लेकिन मुझे कोई जवाब नहीं मिला है । फिर भी मैं ने मैनेजमेंट से बात चीत कर उसे समझाकर प्रोविटडेंट फ़ंड लागू करा दिया है । यह सब तो ट्रेड यूनियन ने किया । सवाल यह है कि गवर्नमेंट का क्या कर्तव्य है । मैं यह निवेदन करना चाहता हूं कि गवर्नमेंट के अथारिटीज़ को यह देखना चाहिए कि प्राविडेंट फ़ंड से छूट दने के नियम क्या हैं, हालत क्या है, और सब बातों को मालूम करना चाहिए ।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूं । मुझे आशा है कि जो सुझाव मैं ने दिए हैं उन की कद्र की जायगी और उन पर विचार किया जायगा । आगे मज़बूती

[श्री राम सिंह भाई वर्मा]

के साथ इस कानून पर अमल हो, यही मेरा निवदन है ।

श्री बाल्मीकी (बुलन्दशहर-रक्षित–अनसूचित जातियां) : सभापति जी, एम्पलाईज़ प्राविडेंट फ़ंड्ज़ (संशोधन) बिल जो सदन के सामने विचारार्थ प्रस्तुत है, का प्रभाव २६ लाख इंडस्ट्रियल वर्कर्ज़ पर पड़ा है । न उन बारीकियों में नहीं जाना चाहता हूं, जिन का उल्लेख मेरे पूर्ववक्ता ने किया है । लेकिन मैं यह कहना चाहता हूं कि प्राविडेंट फ़ंड के सम्बन्ध में चीनी मिलों और दूसरी मिलों में मज़दूरों की दिक्कतें दिखाई दती हैं । जब हमारा लक्ष्य देश में एक समाजवादी ढांचे की स्थापना है और वर्तमान सरकार भी उसी लक्ष्य में विश्वास रखती है, तो यह देख कर आश्चर्य होता है कि एम्पलार्ज़य की तरफ़ ज्यादा ध्यान दिया जाता है और एम्पलाईज़ की तरफ़ कम । प्राविडेंट फ़ंड के सम्बन्ध में जो दिक्कतें पेश आती हैं, खास तौर से उस के देने में जो देरी होती है, उस की वजह से मज़दूरों में बहुत निराशा होती है । सुपरवाइज़री स्टाफ़ को उस ओर ध्यान देना चाहिए । मैं सारे देश में गया हूं और मैं जानता हूं कि जहां तक इंडस्ट्रियल वर्कर्ज़ का ताल्लुक है, उन पर प्राविडेंट फ़ंड की योजना का प्रभाव पड़ा है । म्यूनिसिपैलिटीज़ और लोकल बाडीज़ में भी लागू है , लेकिन बहुत कम और उस की जांच गति बहुत धीमी है । म्यूनिसिपैलिटीज़ की हालत देखने के लिए भंगी जांच समिति के सम्बन्ध में मैं सारे देश में गया। मैं ने इस संबंध में पहले भी मंत्री जी से बात चीत की है और अब भी निवेदन करन चाहता हूं कि लोकल बाडीज में ट्रांस्पोर्ट में काम करने वाले और सफ़ाई का काम करने वाले भंगी आदि मजदूर प्राविडेंट फ़ंड के मामले में बहुत पीछे रह गए हैं । उन के संबंध में पूरा अमल नहीं होता है । मेरे कहने का मकसद यह है कि इस सम्बन्ध में जो भी नीति हो और जैसा भी प्रभाव इस बिल का होगा , उस के बारे में क्रियात्मक कदम उठाने का सवाल है । छोटी छोटी म्यूनिसिपैलिटीज़ में वर्कर्ज़ को इस प्रकार की सुविधा से कोई लाभ नहीं पहुंच रहा है । उन की सर्विस की सुरक्षा की गारण्टी न के बराबर है । आवश्यकता इस बात की है कि सब प्रकार के वर्कर्ज़ को, चाहे वे सफ़ाई मज़दूर हों और चाहे कोई भी काम करने वाले हों, ज्यादा से ज्यादा गारण्टी मिल और उन की कन्डीशन्ज़ आफ़ सर्विस में समुचित सुधार किया जाय । उन को जिन हालतों में काम करना पड़ता है, वे किसी से छिपी नहीं हैं । यह बहुत प्रसन्नता की बात है कि हमारी राष्ट्रीय सरकार का ध्यान उस तरफ़ जा रहा है और उन की कंडीशन्ज़ आफ़ सर्विस को किसी हद तक ठीक करने के लिए प्रयत्न चल रहा है । यही नहीं, तीसरी योजना में भी इस सम्बन्ध में कुछ प्राविज़न रखी गई है । वह भी एक धन्यबाद की बात है ।

यह सब से जानते हैं कि मज़दूर ज़िन्दगी भर सेवा करता है और आखिरी वक्त में उस को यह सहूलियत और सुविधा मिलने में बड़ी भारी देरी होती है । यह देखा गया है कि प्रोविडेंट फ़ंड की किताबें भी मेनटन नहीं की जाती हैं और अगर की जाती हैं, तो उन में हिसाब ठीक तरीके से नहीं रखा जाता है । यह दिक्कत इस लिए है कि सरकार का ध्यान मिलों की तरफ़ ज्यादा जाता है । मिलों में सुपरवाइज़री स्टाफ़ पूरा ध्यान देता है, लेकिन म्यूनिसिपैलिटीज़ में उतना ध्यान नहीं दिया जाता है । इस कारण वहां ठीक तरह से काम नहीं चलता है । कास्मोपालिटन टाउन्ज़ में, कार्पोरेशन्ज़ और म्यूनिसिपैलिटीज़ में, बड़े बड़े और छोटे नगरों में भी इन दिक्कतों को उठाया जा रहा है । रिटायर होते समय मज़दूरों को जो सुविधा

मिलनी चाहिए, वह उन को प्राप्त नहीं होती है। मैं यह चाहता हूं कि इस बिल का जो भी रूप हो, उस को म्यूनिसिपैलिटीज़ के मजदूरों पर भी पूरी तरह से लागू किया जाय और जो इस तरह की सुविधायें मज़दूरों के लिए हैं, वे इन मजदूरों को भी उपलब्ध की जायें। मैं दिल्ली के केसिज़ जानता हूं कि चार चार साल गुजर जाने के बाद भी लोगों को प्राविडेंट फ़ंड नहीं मिल पाता है। उन को समय पर न मिलने की वजह से बड़ी निराशा होती है। इस में जो अनियमितता होती है, उस की ओर मैं आपका ध्यान आकर्षित करना चाहता हूं।

यह स्वागत योग्य बात है कि इस बिल के रूप में यह संशोधन आ रहा है। इस का जो प्रभाव इंडस्ट्रियल वर्कर्ज़ पर पड़ता है, उस की ओर मेरे पूर्व वक्ता ने ध्यान दिलाया है। प्राविडेंट फ़ंड की यह सहूलियत सब वर्कर्ज़ के लिये, चाहे व लोकल बाड़ीज़ में काम करते हों, चाहे किसी म्यूनिसिपैलिटी, नोटिफ़ाइड एरिया कमेटी या ज़िला परिषद्, में, और खास तौर से सफ़ाई का पैशा करने वाले मज़दूरों के लिए अमृत के समान है और एक देन है और उस से उन को बहुत लाभ हो सकता है। उन का काम एक विशेष प्रकार का काम है, इस लिए समाज के स्वास्थ्य की रक्षा की दृष्टि से और सारे देश के व्यापक हितों को सामने रख कर उन की कन्डीशन्ज़ आफ़ सर्विस को बहुत अच्छा बनाया जाना चाहिए और उन को सर्व प्रकार की सुरक्षा की गारण्टी दी जानी चाहिए। इस दृष्टि से इन अधिकारों में से व सदियों से वंचित रहे हैं।

प्राविडेंट फंड की दर में समस्त देश में जो भिन्नता पाई जाती है, उत्तरी भारत में कुछ है, दक्षिणी भारत में कुछ और है, मद्रास कारपोरेशन में कुछ है, दूसरी कारपोरेशंस में कछ और है, यह खत्म होनी चाहिये और सब के लिये एक जैसा आधार प्राविडेंट फंड की दर का होना चाहिये। प्राविडेंट फंड का लाभ सफाई मजदूरों को तथा दूसरे मजदूरों को जो कि म्यूनिसिपैलिटीज में काम करते हैं पहुंच सके, इसकी आपको व्यवस्था करनी चाहिये। यह जो सुविधा, राष्ट्रीय सुविधा मजदूर वर्ग को दी जा रही है, इसका उनको लाभ पहुंचना चाहिये। इस से उन को अपने आखिरी जीवन में बहुत लाभ पहुंचता है। आज जब कि हमारा ध्येय समाजवादी समाज की रचना करने का है तो यह और भी जरूरी हो जाता है, कि उनको इस प्रकार की सुविधा प्राप्त हो और मैं चाहता हूं कि मंत्री महोदय इस ओर ध्यान दें।

Shri Anthony Pillai (Madras North): Sir, this is not a controversial Bill. This Bill embodies a proposal which was unanimously agreed to at the Indian Labour Conference held at Naini Tal nearly 2½ years ago. What can be regretted is the delay in bringing up this Bill despite the assurance given in the Conference and the assurance given on the floor of this House more than a year ago. The other matter which is deplorable is not what is contained in the Bill but what is left out.

Indeed we welcome a social security measure of this type being extended to workers employed in factories or establishments employing more than 20 persons. At the same time, I would ilke to warn the Government and the administering authorities of the numerous problems that are likely to arise as a result of its working. Normally, establishments which have a substantial number of workers are administered more efficiently than those where there are less largely because, also there are larger unions which are vigilant that the employers abide by the Provident Funds Act. Despite the fact that the existing scheme, as it stands, applies only to large establishments, the number of

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cases in which the administering authorities had to take action is quite considerable.

According to the last Annual Report, nearly a thousand employers had to be prosecuted for not fulfilling their obligations and much more than a thousand cases had to be taken to the certifying officers, for purposes of revenue recovery proceedings. Despite these efforts to get the employers to honour the Act, and despite the fact that the annual reports year after year point to the necessity of amending the Employees' Provident Funds Act to enable the imposition of heavy fines, and to make it a continuing offence in the case of an employer who is continuing in default, this Bill makes no effort to remedy this grave defect, which means that, ultimately, when the Bill becomes law, these administrative problems are going to multiply in much greater numbers.

Therefore, this Bill is really a half-hearted and hurried measure intended to implement one, single promise. A number of other defects, that have been pointed out by the various labour organisations and also by representatives on the Joint Board, are not being sought to be remedied in this Bill. Nor is any effort being made to give effect to the promise, that was made some time ago, that the rate of contribution to the Provident Fund should be increased to 8.1/3 per cent.

No doubt, there has been some opposition from the employers; and some committees have been constituted to go into the question of capacity to pay. But the delaying of this amendment, namely, the raising of the rate of contribution, will only prolong the delay. Ultimately, it will further delay the implementation of what has been generally agreed to in the proposals for integrating the various social security measures.

The proposals for integration of social security measures took as their starting point the fact that the rate of contribution would be raised to 8.1/3 per cent. So long as the implementation of this particular proposal is not expedited to that extent, the Study Group's proposals would be further delayed.

Then, I would also like to point out that the Bill, even as drafted, will continue to present a large number of difficulties. A clarification has been given that an establishment will not be deemed new merely because of its change of location. But, particularly small employers will seek to avoid their obligations under this Bill by transfer of ownership. This has happened even in the case of large establishments to escape the obligations under the Act. This mode of evasion is likely to multiply when this Act is extended to small-scale industries.

There is another difficulty for which there is no remedy in this Bill which has been pointed out in the annual report, namely, that there is no power today given to the authorities to assess the contribution that should have been paid by an employer in the absence of returns submitted by him. This involves a great deal of delay, a great deal of trouble and also a lot of administrative time being taken up unnecessarily.

I dare say that at present the costs of administration are relatively low. They are roughly about 50 per cent of what is collected. That is the position today despite the fact that roughly about 10 lakhs of members who are covered by this particular Act are under exempted provident fund schemes. You can hardly expect that small industries will come under the category of the exempted provident fund schemes. Since, all of them will come under the purview of the direct administration of the Employees' Provident Fund Act, there will be increase in the cost of administration; and the administration will be saddled with all the difficulties which ought to have been removed by a comprehensive Bill.

I would like to voice the grievance generally felt by the working classes with regard to the Finance Ministry interfering in the administration of welfare measures meant for the working classes. There are Joint Boards and, surely, we can assume that the workers' representatives therein can very well safeguard the interests of the members who are subscribers to these funds. Despite this, we find continued interference on the part of the Finance Ministry which is most unhealthy.

Let us take this question of the rate of interest allowed on the moneys lying in the Provident Fund. There is this continued insistence through the Finance Ministry that they shall be invested in government securities. As a result of their being invested in government securities, the rate of interest paid on the moneys lying in the Fund is only 3¾ per cent. The net result is, with the falling value of the rupee, the amount of net saving to the worker is hardly adequate.

If the Life Insurance Corporation can be given the power to invest its funds in securities and shares which can give a good dividend, I do not see any reason why the Joint Board which runs the Employees' Provident Fund Scheme should not be given the same power as the LIC to invest in such securities and shares which will yield sufficient dividends to enable the scheme to give an adequate rate of interest for the moneys lying in the Provident Fund.

14 hrs.

There is another unhealthy interference of the Finance Ministry in opposing the proposal that the worker be allowed to withdraw money or borrow money from his provident fund account for the purpose of house building schemes. Everybody talks on every platform that if the housing conditions of the workers improve, their efficiency also would improve. Despite this lip service, when it comes to a concrete proposal of the workers forming cooperative housing societies to take advantage of the industrial housing schemes, there are a number of obstacles put up by the Finance Ministry in the matter of the worker borrowing from the Provident Fund. As a result of persistent efforts, the Finance Ministry has now allowed an insignificant sum of money to be borrowed. Even that has come too late, when construction costs and the cost of materials has gone up. This concession does not enable them to get adequate money from their provident fund account to float cooperation House building societies. With the value of the rupee falling, the worker would like to have his savings invested in housing schemes yielding better returns than the 3.75 per cent interest, which is allowed under the present dispensation. The whole provident fund scheme should be divorced from the idea that the provident fund scheme is being run for the purpose of the Government finding money for the Plans. Surely the Government should not find the necessary funds from the savings of the lowpaid working class. The objective is good. But there is no reason why the Finance Ministry should stand in the way of the proper utilisation of the fund for promoting working class interests such as House Construction and the investment of funds in a manner which will yield better dividends.

Some representatives of the workers employed in the sugar industry may be happy about the proposed levy on the retaining allowance. But normally the retaining allowance is so low that it is hardly wise to ask the worker to contribute a percentage of the retaining allowance. It is likely to lead to resistance. I can understand his contributing when he is fully employed but not when he is half-starved. I am also unhappy about this provision for another reason. It is mentioned that it is intended for seasonal industries such as the sugar industry. There are occasions when even in well-organised non-seasonal industries there are retaining allowances given in the form of lay-off

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compensation. So, workers in any other industry are also liable to contribute from the lay-off compensation.

I would also take this opportunity to voice the grievances felt by other sections of the working class, who are not covered by this scheme till now. I do not want to refer to any specific industries but to a large group of middle-class and clerical employees working in shops and commercial establishments. There is, as yet, no kind of a social security measure for them. For the workers employed in factories, there are some schemes of medical insurance and provident fund; but for these employees in shops and commercial establishments who are hit harder by the rising cost of living, than even the working class, there is no social security, and these measures should be extended to them. Whether he is a worker in the factory or in any commercial establishment, he is divorced from the land, and when he ceases to be a worker, he cannot fall back upon the land. That is much more so in the case of the middle-class peoples. There are no longer any social institutions which will safeguard them, if they lose their employment on account of ill health or any other reason. Despite the fact that even in the 1952 Act, as originally framed, there was a provision for the Government to extend it to the various classes of employees, it has not utilised this power so far as to extend it to the middle-class persons in clerical and other jobs in shops and commercial establishments. At long lost the Government has come forward with this Bill; and though I welcome this Bill, I am constrained to say that I am, to some extent, dissatisfied, because the Government have not taken this opportunity to rectify all the loop-holes which make the administration of the Provident Fund scheme difficult.

Shri K. N. Pande (Hata): Mr. Chairman, I whole-heartedly welcome this Bill. Shri Pillai just now referred to the provision making the retaining allowance liable for provident fund contribution. He is not so much connected with the sugar industry therefore he may say like that. I may say that there was a great deal of demand from the workers themselves that contributions should be recovered on the retaining allowance. There were factories where the provident fund scheme was in operation before this Act was enacted and the workers used to pay contribution on their retaining allowance. What does the retaining allowance mean? The seasonal factories run for some months and then they close down for a few months for repair or for some other reason. There are so many skilled and semi-skilled workers who are paid half their wages during this period. It is a wage and I do not understand why contributions should not be made from that. I have been urging for this and I am happy that this request of the workers had been granted.

It is also very good that the number of the workers had been fixed at a lower level in relation to the application of this Act. Previously, simply because there was one worker less than 50 in a factory, this Act could not be made applicable. Now, that number has been reduced and it is a welcome feature.

I am happy that this Bill covers so many people. But I want to bring to your notice the defects in its application. For instance, take the leather industry in Kanpur a leather factory—The leather industry employs more than 3,000 people but this provident fund scheme is not applicable to them. The leather industry employees more than a lakh of people in our country but the workers concerned do not derive any benefit. The hon. Minister should keep this in mind and do the needful in future.

One hon. Member suggested that while bringing some industries under the purview of this Act, the Act should be applied there with retrospective effect. But there will be one

difficulty if it is applied with retrospective effect. I do not think it will be welcomed by the workers, because they have also to pay their contribution and the arrears of their contribution for all these days will be such a huge sum, that they will not be in a position to pay that amount in one instalment.

Then I come to the question of disposal of claims. I went to some factories in my State, the State of Uttar Pradesh. I was informed that even though some workers died a long time back their claims are still pending. I do not know what causes this delay. Some easy machinery should be provided for the disposal of such claims. I think the factory should be authorised to take this responsibility also. If some worker dies the factory should take responsibility to suggest the names of his heirs. That will ease the situation. Now the Government authorities are taking into consideration the recommendation of the panchayat and other bodies. Even though the workers are trying their best to supply all necessary information, still the disposal of claims is not done easily. I hope the hon. Deputy Minister will give to this matter due consideration.

I am very thankful to the hon. Deputy Minister for being very firm in the matter of creation of a special reserve for the benefit of those workers who, although contributed towards the fund, were not able to take the benefit on account of fault of the employers, who have not paid the amount to the Government. When one worker died or one worker went away from a factory he was not able to get any benefit from the fund on account of such faults on the part of the employers. The hon. Deputy Minister is now trying to create a special reserve. Even though there was some opposition from some corner, he was very much determined on this issue and such a reserve fund is being created. I want to know how far this matter has gone, whether the workers have already started getting those benefits because of this fund or, if it has not started, how much time it is going to take?

Sir, I am inclined to support Shri Anthony Pillai that the Finance Ministry should allow to invest the provident fund money in such a way as to get a higher rate of interest. Now they get only 4 per cent. There are so many things like 12 year Plan Certificates where if the provident fund money is invested the workers can get upto 7 per cent. Many people do not retire every year. They know the average amount that they will have to pay against this account every year. Therefore, some such thing should be thought of so that this money may be invested in such a way as to enable the workers to earn more.

With these words, Sir, I fully support the Bill and I hope everybody will support it.

Shri Aurobindo Ghosal (Uluberia). Mr. Chairman, I welcome the provisions of this Bill which will go a long way to meet the grievances that were put forward by us and the workers for a long time in the past, because in our experience we found that the factories were dividing themselves into small separate units in order to deprive the workers of the benefits of provident fund. After a long time, the Government has now brought the necessary provisions for bringing under the purview of this Act even small units by reducing the number of workers to 20.

But I have to point out one thing regarding the exemptions. New factories with 20 workers have been exempted for five years and factories with 50 workers or more have been exempted for three years. It is quite true that in the beginning these small factories should be burdened with less financial responsibilities if we want to develop small industries. But, at the same time we should see whether by giving that exemption to the employers who are employing 50 workers or more we are giving them so much latitude whereby the workers ultimately are deprived of the legal bene-

[Dr. Arobindo Ghosal]

fits that we want to give them through this Bill. I feel that factories which employ 50 workers or more should not be given exemption for more than one year because after one year's working we shall be able to know the position of the company and also the future prospects of the company. There is no use waiting for three years in order to entitle the workers to get the benefit of provident fund as provided in this Bill.

The exemption given to small employers is also on the high side. It should have been reduced to three years. After three years the small industries will be in a position to extend the benefit of provident fund to their employees.

My hon. friend, Shri Anthony Pillai, has already stressed the point that the time has come when the middle class employees or the clerical staff should have come under the purview of this Bill. We should also expedite the point regarding increase in the contribution to provident fund because that has been pending for some time and is long overdue. I would suggest that an immediate attempt should be made to bring the clerical staff under the purview of this legislation.

A point has already been made that the provident fund money should be invested in such a way as to see that it becomes profitable to the workers in the long run. The conventional investment of the provident fund money will not really benefit the workers. I think this can be invested in a more profitable way by the Government. The Government should, therefore, explore other avenues for investing the provident fund money so that it may bring more money into the pockets of the employees at the time of their retirement.

Lastly, we have seen that when the workers go to draw their provident fund amount after retirement they are told by the Provident Fund Commissioners—at least that is the position in our State—that the company concerned has not deposited its contribution, and thereby the workers are made to wait for a long time. It is more so in small factories which have come under the purview of this Employee's Provident Fund Act. A long time is taken to get the contribution of the employers deposited. If they have not deposited in time, the workers also cannot withdraw their portion of the contribution. Naturally, there are so many such cases, and the Government have brought also some cases against the employers and there have been convictions. But still, it has not brought any salutary result. Government also should take some suitable steps so that the provident fund money is speedily deposited by the employers, with the Government, for the benefit of the workers in order that the workers may not wait for a long time after their retirement to get the money.

With these words I welcome this Bill.

चो० रणवीर सिंह (रोहतक) : सभापति महोदय, मैं इस संशोधन विधेयक का समर्थन करता हूं और स्वागत करता हूं । मैं मानता हूं कि गो श्रम मंत्रालय के लिये यह एक नया तजुर्बा था लेकिन यह हकीकत है कि सन् १९५२ से उन्होंने देश के करीब २६ लाख मजदूरों को इस विधेयक के जरिये फायदा पहुंचाया है । यह इसके बावजूद है कि इस देश के अन्दर जो जत्थाबन्द मजदूर हैं तो इन मजदूरों की संख्या इस देश की आबादी के हिसाब से कोई बहुत ज्यादा नहीं और इस बात के भी बावजूद है कि यहां जत्थाबन्द मजदूर जो हैं वे कोई राजपाट के काम के अन्दर कोई बहुत ज्यादा दखल नहीं रखते हैं । जहां जहां इंडस्ट्रियलिस्ट देश हैं अमरीका और अन्य देश, जहां कि मजदूरों की संख्या भी अधिक है और जहां मजदूर जत्थाबन्द भी हैं, उनकी एक शक्ति भी है । वहां अगर कोई एक

ऐसा कायदा और कानून बने और उसके अन्दर यह प्रगति रहे तो वह शायद सराहनीय न हो लेकिन जिस देश के अन्दर मजदूरों की संख्या भी मुकाबलतन दूसरे आदमियों के थोड़ी हो और उनकी जत्थेबन्दी की शक्ति भी थोड़ी हो, इसके बावजूद अगर सरकार ने इस कानून को इतनी तेजी से आगे बढ़ाया और दस साल की जिन्दगी के अन्दर ही ५० से संख्या २० तक घटा देना चाहते हैं तो यह दरअसल एक बड़ा सराहनीय काम है ।

इसके अलावा सभापति महोदय, यहां कई माननीय सदस्यों ने इस बात के ऊपर ऐतराज किया कि जो नये इस्टैबलिशमेंट्स कोआपरेटिव सैक्टर में हैं उनको जो छूट दी गई है यह छूट सही नहीं है । मैं समझता हूं कि शायद वह किसी अपने ध्येय के जोश में आकर ऐसी बात कहते हैं वरना यह मानना होगा कि इस नीति के पीछे, इस ध्येय के पीछे एक ही नीति है कि कमजोर की मदद की जाय और जहां मजदूर कारखानेदार के मुकाबले में कमजोर हो वहां उसकी सहायता कानून को करनी है और उसके इंटरैस्ट्स को सेफागार्ड करना है ।

इसके साथ साथ यह भी सही है कि बड़े कारखानेदार के मुकाबले में छोटे कारखानेदार बहुत कमजोर अवस्था में होते हैं और शुरू में ही जिन्होंने अपनी जिन्दगी शुरू की है वह तो बिलकुल बच्चे ही हैं और उनको सहारा देना बहुत ही सही नीति है ।

इसके अलावा जहां तक कोआपरेटिव सैक्टर का वास्ता है कई भाइयों को गिला है कि पहले ही सैक्शन १६ के अन्दर यह दर्ज था और सरकार छूट दे सकती थी लेकिन आप जानते हैं कि जो कोआपरेटिव सैक्टर के अन्दर काम करते हैं उनको गिला रहता है कि जो अधिकारी वर्ग हैं वह उनके साथ पूरा इंसाफ नहीं करते हैं । कानून की और सरकार की जो मंशा उनको थोड़े बहुत बढ़ावा देने की है वह केवल कागज तक ही सीमित रह जाती है और उनको बराबर अधिकारियों से शिकायत बनी रहती है कि वे उनके साथ पूरा न्याय नहीं करते हैं और उनको कुछ न कुछ शिकायत बनी ही रहती है कि उनको प्राइवेट लिमिटिड कम्पनीज या पब्लिक लिमिटेड कम्पनीज के मुकाबले किसी कदर ज्यादा तकलीफों से गुजरना पड़ता है । इसलिये मैं समझता हूंकि सरकार ने सही तौर पर इस विधेयक के अन्दर जो कोआपरेटिव सैक्टर को छूट दी है वह एक बहुत सही बात है और यह जो क्लाज है उसको सदन को पास करना चाहिये ।

Shri D. C. Sharma: (Gurdaspur): I rise to support this Bill and I think this Bill is a great tribute to the social awareness of the Ministry of Labour in our country. I think so far as the protection of the rights of workers is concerned and so far as the provision of amenities to the workers is concerned, the record of the Ministry of Labour is very splendid. Anyone who knows something about labour legislation in this country or in other progressive countries of the world will have a right to say that the Labour Ministry in this respect has done very well. But that awareness which this Ministry is showing so far as the skilled workers employed in the factories are concerned is not enough. There are many other segments of employment in our country which are going without any kind of protection and which are going about without being organised by any trade union or any other agency and which are not guarded by any kind of legislation in this country. I would, therefore, suggest to the Ministry that it should have a kind of survey and that survey should show to us which sectors of employment in the country are not so far receiving corresponding benefits which labour legislation is providing to a particular section of workers.

I think anyone who has some idea about this country will come to the conclusion that there are so many kinds of workers who are absolutely at the mercy of their employers and on whom they depend for their livelihood. There are the shop assistants; there are the scavengers; there are the

[Shri D. C. Sharma]

employees of local bodies and there are clerks of certain categories. All these persons are practically at the mercy of their employers. It may of course be said that some of these workers do not come under the purview of the Ministry of Labour, but I feel that the Ministry of Labour should have a comprehensive outlook and develop a multiplicity of eyes in order to take stock of the working force of the whole of this country. I think that all the workers, of whatever category they are,—white-collar workers or skilled or unskilled workers—should be taken away from the purview of other Ministries and be handed over to the Ministry of Labour so that they can also derive the advantages which other workers are getting.

There is one Ministry which has done nothing for the persons who are concerned with it. I do not call them workers; if I call them as workers they may take it as an offence, but in fact everyone is a worker in the sense that anybody who works for a living worker, according to me. But this definition of a worker must be very comprehensive and satisfying. For instance, there is the big battalion of primary school teachers, elementary school teachers, middle school teacher and high school and higher secondary school teachers in this country. There is this big regiment of school teachers in this country. Those teachers are unfortunate teachers because nobody looks after them. They are teachers employed by local bodies, by private organisations as well as by Government. I think that they are not being looked after properly. I, therefore, suggest very humbly that the social awareness of this Ministry requires to be enlarged, its scope requires to be increased, so that every worker in free India, of whatever description he may be, of whatever kind he may be, can feel the glow of those schemes of social security which we are undertaking here, there and everywhere.

My second point is this, that even though the social awareness of the Ministry is commendable, this social awareness the Ministry has failed to impart to the employers.

14.32 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

I would submit very respectfully that in spite of Labour Conferences, in spite of tripartite discussion, in spite of all the paraphernalia of negotiations and discussions, in spite of everything, this Ministry has failed to communicate even a small part of its social sympathies to the large majority of the employers. When one looks at the records of these employers—I do not want to cite instances—one feels that they are still living in those days when social legislation was non-existent. They have not yet felt the impact of the socialist pattern of society; they have not yet felt the impact of the social security which we have given; they have not felt the influence of the welfare state which we are trying to build up.

I do not say that all employers are bad. But I know that these employers are tardy in giving even the legitimate part of the provident fund to them. Nobody can deny that they try to withhold the provident fund contribution in all kinds of ways, on all kinds of pretexts, and all kinds of excuses from the poor workers.

Then, Sir, the Ministry has not been able to do anything to curb the power of money, so far as it impinges upon the social conditions of the workers. How many defaulters are there, I want to ask the Ministry. How many defaulters are there among the employers who have not paid their provident fund contributions? How many defaulters are there who do not pay the provident fund contributions regularly? I think if you go into these details, you will find that it is a very very sorry tale.

Therefore, I would suggest to the Labour Ministry that it should succeed in imparting a modicum of this social awareness to the employers also. They come to the conferences; they sit round the table along with Ministers and workers make speeches and go home and commit those very—I do not want to use harsh words—lapses, and evade providing social amenities to their workers which they are asked to.

My third point is this. It is true that we have not yet reconditioned the employer as well as we should. Our reconditioning process has not been in keeping with our progressive legislation. But if the employer has been found to be recalcitrant, if the employer has not shown a very keen desire to expose himself to those wholesome influences, I think even the officers in the Ministry of Labour, the Provident Fund Commissioner and others, do not show that kind of social understanding which they should show. So the problem for the Ministry is not only that they should bring forward progressive legislation. That is a good thing in itself. The problem for the Ministry is that the fruits of those progressive pieces of legislation should go to the workers and the persons who are supposed to be the watch-dogs of their interests should try to do something towards this end.

It is good that the number of employees has been reduced from 50 to 20. I think this will go a long way in protecting the interests of the workers I am very happy that this has been hailed by every Member. I am also happy that the retaining allowance which was a kind of loophole for these employers to escape from the dispensation of this Act, has been made a part of salary and this allowance will also be counted when we take into account the contribution to the provident fund. I am also happy that cooperative societies employing less than 50 persons and working without the aid of power have been excluded, though I would say that the idea of employing less than fifty persons is very very indefinite. It should have been made more definite. For instance, you have exempted those persons who are employing less than 20 persons. So far as cooperative societies are concerned, the limits should have been specified and it should have been something between twenty and fifty. Though I want that cooperative societies should be encouraged in our country and we should have a network of them all over the country, some of the ingenious employers will try to evade the provident fund contribution by having recourse to formation of these cooperative societies. I think that is a big danger and I am sure this danger will be guarded against. Instead of calling a factory a factory, they will call a factory a cooperative factory and thereby they will try to evade the benefits which will go to the workers. I make a suggestion that this clause has got to be implemented not only with eyes open, but also with ears open, so that nobody can take any undue advantage of this clause.

I think it is good that small scale and cottage industries are going to receive the benefits for a period of five years. I think five years is not a long period. I would ask the hon. Minister what his conception of small scale industries and cottage industries is? Is his conception of small scale industries the same as the one given by the Small Scale Industries Institute? Is his conception of the cottage industries the same as has been given by the Cottage Industries Institute? If that is so, here also there is room for a great deal of vigilance, because a big scale industry can be split up into a number of small scale industries and cottage industries. Our social legislation fails, because out of our goodness, we leave loopholes and they are taken advantage of by some of our employers. There cannot be any legislation without loopholes and there cannot be loopholes of which some will not take advantage. But in a legislation of this kind, which has the social good of the people as its view, I think such loopholes should not be there.

[Shri D. C. Sharma]

About the rate of the provident fund, many speakers have said that it should be raised from 6-1/4 per cent to 8-1/3 per cent. This is an age of rising prices, of dearness, when expenses are mounting up like anything, when everybody including the financier is out to make profits in so many ways. This morning we were discussing about the prices of textile goods. We have tried to reduce the prices of textile goods by a certain proportion in regard to coarse cloth, medium cloth and superfine cloth. We have done it because the employer sometimes happens to be a profiteer. The same is the story about almost every industry.

The cost of living index is going up and the workers are exposed to so many hazards. Look at the hazards to which the coal mine-workers and other workers are exposed. So, it is in the fitness of things that the rate of provident fund should be raised from 6-1|4 to 8-1/3. It is demanded by the conditions of the age in which we are working. If we are fully responsive to it, we will have to do something. I know the Labour Ministry grinds slowly, but grinds exceedingly well. But they should grind briskly and also exceedingly well. That is to say, so far as provident fund is concerned, the Labour Ministry should take a decision as early as possible and not go on postponing it.

This is a welcome measure. When the rules are made, they should be such as do not enable the employers to take advantage of any loopholes in them. They should be such that the workers should get the maximum benefit from this piece of very fine legislation, which has social security as its aim.

श्री सरजू पाण्डेय (रसड़ा) : उपाध्यक्ष महोदय, यह जो बिल इस सदन के अन्दर आया है, अ य माननीय सदस्यों की तरह से मैं भी इसका समर्थन करता हूं । आम तौर से इस बिल के संबंध में दो तीन बातें कहीं जा रही हैं । मैं समझता हूं कि इन दोनों तीनों बातों में सत्यता का काफी बड़ा अंश है और माननीय मंत्री महोदय को उन पर विशेष रूप से ध्यान देना चाहिये ।

पहली बात यह कही गई है कि कोआपरेटिव सोसाइटीज के जो वर्कर्ज हैं उनको इस कानून से अलग रखा गया है । अभी एक माननीय सदस्य ने कहा कि अगर यह कानून बना तो लाजिमी तौर पर फर्जी कोओप्रेटिव सोसाइटीज बनेंगी और बहुत सारे लोग ऐसी सोसाइटीज बना लेंगे जिनमें उनके परिवार के लोग ही होंगे, वे सरकार से पैसा लेंगे और वर्कर्स को प्राविडेंट फंड न देने की गर्ज से अपने कारखानों को कोओप्रेटिव कारखाने बतायेंगे । इसलिये इसके बारे में मेरा पहला सुझाव यह है कि इस कानून को कोओप्रेटिव्ज पर भी जरूर लागू किया जाये ।

यह बात सही है कि इस सदन में बहुत सारे कानून श्रमिकों के लिये बनते हैं । लेकिन यह हमें पता नहीं चलता है कि दरअसल उन कानूनों से वे फायदा उठाते हैं या नहीं । आम तौर से देखा जाता है कि पैसे वाले लोग उन कानूनों का फायदा उन गरीब मजदूरों को नहीं उठाने देते । इसलिये मैं चाहता हूं कि मंत्री महोदय इस पर भी गौर करें कि प्राविडेंट फंड जो उनको नहीं मिल पाता है, वह उनको मिले और इसका प्रबन्ध भी इस कानून में होना चाहिये । इस वक्त यह चीज इस बिल में नहीं है ।

मेरा विचार है कि केवल इतने से ही, कानून बना देने मात्र से ही, काम चलने वाला नहीं है । हमें देखना होगा और कोई मशीनरी बनानी होगी को यह देखे कि दरअसल जो कानून श्रमिकों के लिये बनाये जाते हैं उनका फायदा श्रमिकों को मिलता है या नहीं ।

इस बिल के सैक्शन ५ के सब सैक्शन (बी) में कहा गया है कि ऐसे कारखाने जिन

में पचास से अधिक या बीस से अधिक श्रमिक काम करते हैं उनमें तीन बरस तक और पांच बरस तक मजदूरों को प्राविडेंट फंड नहीं दिया जायेगा । मैं समझता हूं कि यह बिल्कुल गलत बात है । अभी एक माननीय सदस्य ने कहा कि ऐसे कारखानों की मिसालें दी जा सकती हैं जिनमें लाखों रुपया सालाना मालिक मुनाफा कमाते हैं, लेकिन वे श्रमिकों को जो सुविधायें मिलनी चाहियें, नहीं देते हैं । यह भी देखने में आया है कि कई कारखानों में पचास से अधिक मजदूर काम करते हैं लेकिन उनकी हाजिरी नहीं दिखाई जाती है, उनकी हाजिरी बीस या दस या पांच दिखा दी जाती है । इस तरह का जाल बट्टा करने की उनको पूरी छूट है । मैं समझता हूं कि इसमें यह जो छूट देने की व्यवस्था की गई है इससे मुनाफाखोरों को और भी प्रोत्साहन मिलेगा । यह छूट देने की कोई जरूरत नहीं है ।

अन्त में मैं चाहता हूं कि कोआपरेटिव्ज में काम करने वाले लोगों पर भी इस कानून को लागू किया जाये और अगर ऐसा नहीं किया गया तो जाली कोआपरेटिव सोसाइटीज बना ली जायेंगी इस गज से कि मजदूरों को प्राविडेंट फंड की सहूलियत न देनी पड़े । साथ ही साथ मैं यह भी चाहता हूं कि जो रोक तीन साल की और पांच साल की रखी गई है, इसको हटा दिया जाये और यह व्यवस्था कर दी जाये कि जिन कारखानों में मुनाफा होता है, चाहे वे एक साल के हों या चार साल के हों, उनको प्राविडेंट फंड काम करने वाले मजदूरों को देना चाहिये ।

Shri Abid Ali: Firstly I will deal with the suggestion for the circulation of the Bill. I may submit that this particular Bill was introduced in the last session and its main provisions were discussed at various conferences and committees. They have been published in the newspapers and sufficiently publicised otherwise also. All the persons concerned—the workers, employers, etc.—are very much aware of what was contemplated. So far I have not seen any objection from the persons concerned to what we have proposed. So, circulation is unnecessary.

An hon. Member referred to the proviso to Sub-clause 2 of section 1. It is true that the Act can be made applicable to establishments having less than 50 employees, but that power which is given to Government under the main Act is restricted, whereas by the amendment, we have proposed, we will have power for extending the provisions of the Act to establishments having a smaller number of employees. The same hon. Member was doubtful whether the workers will continue getting the same wages after the passing of this Bill or, their wages may be reduced. I may submit that the main Act gives the safeguard to the workers and there will not be any possibility for any employer to reduce the wages of the workers because of implementation of the provisions of this Act or the provisions which are being proposed.

Most of the hon. Members who participated in the debate have touched more or less the same issues. I would like to clear their doubts firstly with regard to our intention about the quantum of contribution. I am one with them so far as the suggestion for increasing the quantum of contribution from 6-1/4 to 8-1/3 per cent is concerned. But here we must remember that the workers, apart from the provident fund contribution should also receive their wages. If by the imposition of additional provident fund quantum the result is that the establishment is closed, then we should think several times before taking such a step. This matter was discussed in several committees where the representatives of all trade union organisations and employers participated and an unanimous decision was taken that this particular item should be enquired into by a technical committee and the industries which have been assigned to them are being enquired into. As soon as we receive their report we will act upon it.

[Shri Abid Ali]

Some hon. Members criticised the implementation of some of the provisions of the Act, or non-implementation or bad implementation. The picture has been so drawn before this House as if a very huge amount is due from the employers and the administration has failed completely. Of course, some hon. Members were good enough to mention that genuine attempts are being made and the administration is working satisfactorily. Here I will give some figures which will satisfy hon. Members who have been doubtful about the success of our efforts and who said there is considerable slackness in the administration. It may be appreciated that about 28 lakhs workers have been covered by this scheme, and contribution is being recovered from the employees as well as the employers. Apart from these 28 lakhs workers, there is a very large number in Government, railways and other establishments, private and public, who are getting the benefit of provident fund contribution.

The amount which we have recovered under this scheme as on 31st August, 1960 is Rs. 238·78 crores. Today it may be somewhere near Rs. 245 crores. The amount which has become overdue is about Rs. 2½ crores. So, it comes to about one per cent. Here I will ask hon. Members: what will be the average bad debts in the best managements, either in the public or private sector? There will be some bad debts in those establishments also. Also, these Rs. 2½ crores is not for the period after we have taken over. Even when we took over the administration, some of the amounts were not with the trustees of the fund. We have to realise that. Some hon. Member was saying that it will run into lakhs and lakhs of rupees. But what should we do about it? An hon. Member said that we should not allow it to remain with the employers.

Here I will refer to a case in Delhi. In the case of a particular textile mill some representatives of the trade union workers and their President came and told us that as their provident fund amount was overdue we should attach the Mill godown immediately. I told them that we can do it but the consequence of that would be that the mill would be closed. But then they said that the employers *"dhamki dete hain"* and all that. On their advice, we attached the godown of the mill. The result was that the management put up a notice saying that as their godown has been attached by Government they cannot sell their finished products and buy cotton, they have got cotton stocks for about 3 or 4 days and after that the mill will be closed. Then the representatives of the workers approached us and said "remove that attachment".

Workers' organisations, both in the Centre and in the States, and Members of Parliament very often criticise us on this matter. I would request them to kindly tell us what we are to do in such circumstances when we know that the amount has become overdue from the employers but if we take immediate steps that will result in the establishment being closed. What should we do, if the representatives of the workers want us to give some time to the employers, we are prepared to do that also. If they say that as creditors they should give sufficient facilities to the debtor so that the debtor not only survives but also pays back what is due to the creditor, that method also can be followed. After all, the amount due is only one percent, about Rs. 2½ crores. An hon. Member opposite said that it is a huge amount. Of course, it is a huge amount by itself. But when we compare it with Rs. 245 crores, it becomes a very small amount. The learned Professor from Punjab was just now asking: what is the number of defaulting employers? My answer is that the amount is Rs. 2½ crores out of a total of Rs. 245 crores.

There was some criticism about the administration and it was said *kambal orh kar so jate hain.* I would tell my hon. friends that their criticism should have some connection with reality. Of course, there may be one or two officers who are not above board. I do not say that everyone in that department is perfect but, by and large, with the results that are before us, which we are publishing from time to time, we can say that we are doing well. This particular organisation receives the benefit of the advice of representatives of all trade unions, employers and officials, both Central and State. They scrutinise their working as well as their accounts. My feeling is that the representatives of the workers in the board of trustees are fully satisfied that the organisation is doing all that it can under the given circumstances.

It was stated that considerable delay takes place with regard to the refund of the amount due to workers on retirement or, in the case of death, to their relations. There may be some delay. But I would beg of the hon. Members not to wait for the discussion in Parliament to point out this. Whenever such instances come to their notice, let them write to us. We invite them to write to us. If any such complaint comes we will be alert and we will look into those cases. Then we can also have a sample survey of such cases to find out where the system is wrong and how to improve the system. Certainly, there has been some delay, particularly when the deceased has not mentioned his heirs.

15 hrs.

We have to abide by the law. To find out the heir in far-off villages at a great distance from where a particular worker was employed is a job. I would urge my hon. friends in the trade union movement as also employers to have a little propaganda and to tell the workers also that they should complete their forms and mention the names of the heirs who should get the amount in case of death when it unfortunately takes place. As I have submitted, they should also bring such cases of delay to our notice. I assure them that they will be fully satisfied by the action which we take.

Shri S. M. Banerjee: Is it not possible for the Ministry to ask the Provident Fund Commissioner to assess the number of cases in which delay takes place? Not only in the case of death but even in the case of ordinary retirement a man actually goes on begging till he gets that amount. It takes at least a year.

Shri Abid Ali: I have myself been very particular about this. Whenever I go to these offices in Bombay, Calcutta or anywhere I look into such cases. I take out the files and find out. On an average it should not be more than three weeks. There may be some cases which have been delayed because of some deficiency in the available information to which both the employers and the workers may be contributing, but by and large our payments after retirement are in three weeks. Within three weeks money order is issued.

Again, I may request my hon. friends kindly to help us by bringing such cases to our notice. I am doing so not as a matter of formality but with all sincerity and earnestness so that this matter should be improved. We are one with them in this. As soon as a worker retires, he should get the amount due to him so that he may decide what to do with that amount. I know that so long as the provident fund amount is not paid, the worker lives in the place where he was working. He cannot go to his village and his monthly expenses are very large. Because his monthly payment is stopped he takes a loan. Therefore he is put in a very awkward position because of the suspense. So within three or four weeks the amount should come into his hands so that he can decide the way in which he should live, the business which he should enter or the land which he should purchase. About

[Shri Abid Ali]

Special Reserve Fund I may inform hon. Members that a decision has already been taken. Where the amount collected from the workers has not been deposited with the Fund, such workers should get some relief. To begin with perhaps Rs. 20 lakhs have been mentioned. This amount will grow from the various forfeitures and extra amounts which may be left with the Fund. The intention is that once the amount has been realised from the worker on account of provident fund he should not be a loser. The scheme has already been sanctioned.

About more interest, it is true that the Fund should earn more interest but then the risk is more. With the attempt to get more interest, the principal itself is put into jeopardy. Therefore we are to be guided by the Finance Ministry in this matter.

Shri Anthony Pillai: LIC is not in jeopardy. It s working in a better way.

Shri Abid Ali: The suggestions which hon. Members have given in this regard will, of course, be looked into. But the attempt is that the amount which has been recovered from the workers or as contribution from the employers payable to the workers should remain the safest possible investment. It does not matter if they got a little less. But they should not risk the principal. With that intention and with the advice of the Finance Ministry these investments are made. But these suggestions will be communicated to them. Their advice has to be followed in this particular matter.

About *budli* and all that, it is for the trade union movement to take care of it and not for the Provident Fund Act. Once a worker has become entitled to provident fund he should get the recovery made and the amount recovered should remain in safe custody.

One hon. Member mentioned that the amount of fine is small although the amount due is large. But we may appreciate that by an employer being punished by a court of law his liability to pay the amount due is not reduced. On the other hand, according to law we can recover from a defaulting employer penal interest as well. It is called damages. Of course, the Act provides for a sentence of six months also. But it is for our lawyers to press for a higher punishment and for the court to award the punishment that it chooses.

Shri Anthony Pillai: Not as a continuing offence?

Shri T. B. Vittal Rao: Why do you not make it a continuing offence?

Mr. Deputy-Speaker: The objection should not be continuing.

Shri Abid Ali: These prosecutions and punishments become superfluous as the situation, as hon. Members also know, has considerably improved with regard to recoveries.

With regard to exemption for establishments employing 50 or more there is no change. That will continue to be three years for infant establishments. Only in the case of those which employ less than 50 and up to 20 persons this infancy period has been increased from three to five years. Of course it may be that one or two establishments here and there start having profits from the very day of their working, but in an Act for the whole country you should keep the situation as it exists by and large and not consider the position of individual factories only.

About the co-operative societies much has been said. We are covering co-operative societies which employ up to 20 persons also and working with the aid of power. But for them five years have been allowed as the preliminary period so that they may get settled and imposition of provident fund should not be responsible for the closure of the factory.

Regarding loans for construction of houses and for purchase of land, it has already been agreed to and there should be no difficulty with regard to it.

Shri Anthony Pillai: It is not enough. It is meagre. There is a ceiling limit.

Shri Abid Ali: But we can pay only from the amount which is due to the worker.

Some mill in Andhra was mentioned by the hon. Member from that State. Such cases may be here and there. But it is also the obligation of the employer to start contributing to the Fund as also collect the contribution from the workers and pay to the bank. Our officers also are alert otherwise such a large number of establishments would not have been covered. But there may be lapses here and there. Again I make the same request to hon. Members. Whenever such a thing comes to their notice, namely, a particular establishment which should be covered has not been covered, they are welcome to bring such a thing to our notice. Certainly we shall be helpful.

About retirement period, hon. Members know that 25 per cent can be paid when the service period is less than three years and then 50, 75 or 85 per cent. The full amount is paid after 15 years' service. It may be appreciated that a worker generally comes when he is 20 years of age. He should work at least for 15 years to get the full contribution of the provident fund amount. If we allow the refund of the whole amount on the basis of the suggestion made, it will not remain a retirement benefit. We want that workers also should get attached to a particular establishment for a long period so that their wages increase and the provident fund quantum also increases.

My hon. friend from Madras as also other hon. Members mentioned that workers want loan and it should be sanctioned on a liberal basis. We want to cut down the giving of loans from the provident fund amount except for very few items. One of them, of course, is purchase of land of construction of houses. The intention is that workers should get some substantial amount on retirement. If the suggestion of payment within three years of full contribution of the employers or of giving the loan liberally is agreed to, there will be no amount left in the hands of the workers when they retire. After the age of 35 they become entitled to the full amount. At that age generally workers are not inclined to leave the establishment where they have worked for 15 years. This is an inducement to them to remain attached to the establishment, unless they can get a substantial increase in wages by going to any other establishment. Otherwise we say that they should remain in one establishment.

As hon. Members know, in the Coal Mines Provident Fund also, if a worker is unemployed for one year the provident fund is not paid, so that if he gets employed in a coalmine within a year then continuity is maintained and his membership continues.

These are the observations which I felt I should make.

Shri K. N. Pande (Hata): What about the leather industry?

Shri Abid Ali: About leather industry I have already said; wherever the decision is there to cover the various industries and wherever any particular establishment has not been covered, what the hon. Member has mentioned has been taken note of and we will look into this. But I would request hon. Members not to wait for such debates. They are always at liberty to write to us, and their suggestions as regards the deficiencies which they find in the working will always be welcome; and we hope, as I submitted, we will be able to give them full satisfaction.

[Shri Abid Ali]

So with these remarks I hope hon. Members will be satisfied and will give their unanimous support for the consideration of the Bill.

Shri T. B. Vittal Rao: About the proposal submitted by the Commissioner of the organisation, one thing the hon. Minister has said. That is, about making it a continuing offence, he has said that Government is not going to make it a continuing offence. On the question that the provident fund amount should get overriding priority over other creditors in the event of an establishment being wound up or going into liquidation, I want to know at what stage of consideration that is.

Shri Abid Ali: Yes, we have sufficiently advanced in that respect, but the final decision has not been taken yet. About this the hon. Member knows that we are also sufficiently helpful in such matters.

Mr. Deputy-Speaker: I will now put Shri Naldurgkar's amendment. The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st January, 1961."

The motion was negatived.

Mr. Deputy-Speaker: I shall now put the original motion.

The question is:

"That the Bill further to amend the Employees' Provident Funds Act, 1952, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: Now we shall take the Bill clause by clause.

There is only one amendment to clause 5.

Shri Abid Ali: Perhaps he many not move it.

Shri T. B. Vittal Rao: Sir, I am not going to move that amendment, but I am going to oppose clause 5.

Mr. Deputy-Speaker: Then I will put that clause separately.

The question is:

"That clauses 2 to 4 stand part of the Bill".

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

Clause 5—(*Amendment of section 16*

Shri T. B. Vittal Rao: I oppose this clause. As I have said in the consideration stage itself, there are ample powers with the Government under section 16(2) of the principal Act where they can exercise this authority and exempt certain co-operative societies or certain establishments if they are not running on a profitable scale.

Only the other day I heard a very prominent labour leader, who also had experience of being a Minister for some years, saying that he would ask for no exemptions for such co-operative societies. He said that there are some bogus co-operative societies which seek that exemption but get all the profits. We do stand for the encouragement of co-operative societies. I can well understand the difficulty of certain co-operative societies. For example, I myself, though I am not directly connected with the organisation of any co-operative society, I am indirectly connected with one. It employs about 150 workers. It so happened that in our enthusiasm, when the union first got in, the committee of management said that all the workers should be given a month's leave. We said, "there is the amount to be paid, we can pay." We said we would pay what the company was refusing to give to our employees. The company had on its roll twenty thousand workers and they were getting only seven days' leave with wages, whereas our committee of managment decided that these workers

in the co-operative society, attached to and serving the very same company, should be given one month's leave with wages annually. Then, after working for one or two years, certain income which we used to get was stopped. We got into grief.

I can understand certain co-operative societies not being able to pay. For exempting such co-operative societies from the operation of the Act, enough powers vest with the Government under section 16(2). Therefore this clause is not necessary.

Then I come to the question of raising the exemption limit from the period of three years of five years. On what basis is it being done, we do not know. In the principal Act the period is three years. If the Government is of opinion that after an establishment has worked for three years, yet it is not able to pay its employees provident fund contribution, even then the Government has got powers to exempt them. Why should they have a blanket statutory provision to exempt them for five years? On what basis is it? If you are exempting them for five years, when they make profits are you prepared to ask them to make payment with restrospective effect? You will never do it.

Therefore I oppose this clause in all its entirety. Because, in an otherwise good Bill where progressive measures have been included, this is the only restrograde step, the only retrograde provision. I hope Government will consider this and withdraw this clause from this Bill.

Shri Abid Ali: Perhaps the hon. Member may be aware that so far as co-operative societies, of a particular section, in Madras are concerned, they are already exempted. The Madras Government was very much anxious that this exemption should be allowed to them. Similar suggestions have been received from other quarters as well, and very strong and convincing arguments have been advanced in their favour. Therefore we thought it necessary to include the provision in the amending Bill. The hon. Member should also appreciate that a good number of co-operative societies are owned by the workers themselves. We have the power for exemption. But we wanted to make it definite instead of just retaining the power in our own hands. It should be known to the establishments concerned that those who are left out, they are left out; and those who will be treated infant for five years will be so treated, and so they should plan their programme accordingly. I hope when hon. Members give deeper consideration to this.....

Shri T. B. Vittal Rao: I have given the deepest consideration they will also be convinced that it is in the interests of the co-operative societies, the workers and the progress of the co-operative movement.

Mr. Deputy-Speaker: The question is:

"That clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6 was added to the Bill.

Mr. Deputy-Speaker: The question is:

"That clause 1, Enacting Formula and long Title stand part of the Bill."

The Motion was adopted.

Clause 1, Enacting Formula and Long Title were added to the Bill.

Shri Abid Ali: I move:

"That the Bill be passed."

Mr. Deputy-Speaker: Motion moved:

"That the Bill be passed."

Dr. Melkote (Raichur): I thank you, Sir, for giving me this opportunity at least now for saying a few words.

Mr. Deputy-Speaker: At least now? I did not refuse him a chance. He was not here.

Dr. Melkote: Sorry Sir, for using the words "At least now" I do not desire to raise those points mentioned by other speakers to which a suitable reply has already been given by the Deputy Minister. I desire to ring to the notice of the Deputy Minister one or two points.

The amount of money collected for this provident fund is quite considerable. It has been generally used, so far as I can understand, by the Government largely for meeting its ways and means position. I personally feel that when such large sums are collected, disbursement for the betterment of the workers' living condition i.e. construction of houses should be given priority. Most of the money should go that way. For aught we know, the amount of money disbursed for improving the housing conditions or for giving loans to workers, etc. is an insignificant part of the whole sum. Therefore, I would like to bring to the notice of the Deputy Minister the above fact so that the money that is collected by the Government is largely spent towards the improvement of the workers' conditions in general in all parts of India.

My second point sir, is this, the Deputy Minister has made out that the infringement of deposit by misappropriation by many of the employers is an insignificant part of the total amount that is being collected—roughly 1 per cent. I agree and I give credit to the Government for its efficient method of collection. So far as non-deposits are concerned, I cannot give credit to the Government. It is not a question of statistical data being placed before the House, for which we should give credit to the Government. It is otherwise. It is just like a medical man saying that nine out of ten cases that came to him were cured. If I happen to be the tenth man, I will rue the day and I will not give the Doctor the credit for his prognosis. It is this aspect of the question that I want to press. While many industries have been depositing, the one per cent that does not pay affects the workers seriously. Therefore, more stringent measures have to be taken to see that the employers do not infringe the law.

The Deputy Minister asked the Members to put forward suggestions. I now do so. The provident fund is being collected every month. It is not an annual collection. If, at the end of every month, the deposit is not paid to the Provident fund account by the employer, immediately proceedings should be started against him. In that case, considerable amounts will not go towards misuse and hence will act detriment to the running of the industry. If this aspect of the question is taken into consideration, no trouble would arise in future. I personally feel that this aspect of the question should be attended to.

The third point has already been mentioned, and I would only like to stress this. Wherever liquidation proceedings are started, first priority ought to be given for re-payment of workers' provident fund. The Deputy Minister has already said that the matter is under consideration. I only feel that it should be expedited and relief given.

Shri Tangamani (Madurai): Mr. Deputy-Speaker, enough has been said about this Bill during the first reading. The Bill is long overdue.

Mr. Deputy-Speaker: Now, he is delaying it.

Shri Tangamani: Although recommendations have been made that factories employing more than 20 should be covered by this Act, I would like to submit that two or three important

points have been left out. When such a comprehensive amendment has been brought, I am surprised to find out that there is no provision to state that the annual accounts will have to be submitted intime. We know from past experience that accounts have been submitted after the lapse of one year, and in some cases even two years.

Shri Abid Ali: Which accounts?

Shri Tangamani: Statement of accounts of provident fund.

Shri Abid Ali: To the workers?

Shri Tangamani: Yes.

My second point is this. Clause 1 says:

> "It shall come into force on such dates as the Central Government may, by notification in the Official Gazette appoint."

I would like to know from the hon. Minister when this notification is going to come. The sooner the notification comes, the better.

Shri Abid Ali: That is the intention.

Shri Tangamani: I would like to know by what date it is going to be notified, or whether it is going to be delayed. It should be notified this month or next month at the latest.

My last point is about clause 5, that amends section 16. The new section 16(1) (b) says:

> "to any other establishment employing fifty or more persons or twenty or more, but less than fifty, persons until the expiry of three years in the case of the former and five years in the case of the latter, from the date on which the establishment is, or has been, set up."

Previously, when the original Act itself was mooted in this House, objection was raised about exempting the so-called infant units. Whenever the Regional provident fund committees have met, they have always recommended that section 16(1) should be amended taking away the exemption which is given to those factories which are three years old. When that is the trend in the various Provident fund committees, I find here, the period of three years has been increased to five years which is not only a retrograde step, but which is something which is not called for in this amendment. I would like to submit that by the inclusion of this clause—new section 16 (1)(b)—is not only a retrograde step, but it takes away the very purpose for which this amendment has been brought forward.

Shri Abid Ali: There is no retrograde step so far as the factories which are coverable according to the principal Act at present is concerned. The present position remains. The change is only with regard to establishments having a smaller number of workers. There too, as I have explained earlier, the smaller establishments and other weaker sections need more proctection, and with that intention, the period of three years has been increased to five.

About the date, I may tell the hon. Member and the House that we ourselves want to put it into effect very soon and not a day's delay will be there. Of course, it has to go through the other House and there is the President's Assent and other formalities. With sufficient speed, these will be gone through.

About the attachment which my hon. friend from Mysore has suggested, the difficulty is this. When an employer's financial position becomes weak, he does not send the amount due on account of employers contribution. Every month it is recoverable. Our officers concerned are very much in touch with the recovery position. What should we do? That is the question that I put to hon. Members working in the labour field. They should tell us through their

[Shri Abid Ali]

central organisations. If they say so, we are prepared to act according to their suggestion that as soon as an employer defaults within such and such a period, action should be taken. That action means that we attach the property. The moment we attach the property, his credit in the market is gone. He will not get any credit in the market. Then, the establishment will close and the workers will be rendered unemployed. Whenever such a situation has arisen, in a number of cases, I have personally contacted the representatives of the Unions concerned and they have been very much advising us, please go slow. That is the advice given by the representatives of the local workers. An establishment was discussed—Talcher. The workers there worked without wages. Where is the question of provident fund? They worked without wages for months together even after the mine was closed. The employer himself ran away. Even after that, the workers, without receiving payment, were looking after the mines, taking out the water from the mines and safeguarding the property, so that when another employer came it would be possible for him to start working the mine without much work. That is how the workers themselves are behaving. It has to be appreciated.

Dr. Melkote: It is not merely the employer's contribution that is involved. The employer collects the employees' contribution also. That money should not be allowed to go into his hands for misappropriation.

Shri Abid Ali: For the first month he does not pay his own contribution. The second month he collects the contribution of the workers and does not pay. That goes on. How to check it? The employer not only does not pay his own contribution, but he collects the contribution from the workers and does not pay that to the bank on our behalf. I have repeatedly asked hon. Member connected with the central trade union organisations of all sides to make up their minds and inform me as to the period after which we should take action, so that it may not result in closure and render the workers unemployed. That is our difficulty. We do not want to give any quarter to the employers or show latitude to them as has been suggested. Our only anxiety is that the workers should not be rendered unemployed. It is for you to suggest when we should take action. You may take your own time and give us your suggestion.

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

15.32 hrs.

BILASPUR COMMERCIAL CORPORATION (REPEAL) BILL

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to move:

> "That the Bill to repeal the Bilaspur Commercial Corporation Act, 2005 Bikrami and to provide for certain matters incidental thereto, be taken into consideration."

This is a simple Bill brought forward for the purpose of repealing an Act which is no longer of any use. I shall state a few facts for the proper appreciation of the purpose of this Bill.

You are aware that formerely Bilaspur was a small State in the Himalayan area, and it was merged in the Indian Union round about 1948. Before that the State Ruler had an Act passed and had established a commercial corporation for the purpose of equitable distribution of the essential commodities that were required for the community. Under that Act this corporation which was established in

1945, was revived and continued as a statutory corporation. and it continued to function till the merger of the State.

You are further aware that in 1954 by an Act of Parliament Bilaspur became a part of the then Part C State of Himachal Pradesh, now a Territory. After Bilaspur State became a part of Himachal Territory, it was formed in to a district by itself, and the Himachal Administration considered that the work of such equitable distribution of essential commodities ought to be entrusted to co-operative societies instead of having such a corporation. They followed the pattern of having such co-operative federations in all the districts of the State. In Bilaspur they have established such a cooperative and the work of that cooperative is gradually increasing. It has been doing very useful work.

In view of the evolution of a common pattern of having co-operative agencies, this corporation was found to be superfluous. The Act establishing the corporation remained in force even after the merger, even after the integration of Bilaspur in Himachal, but unfortunately it was defective in certain respects. Under the provisions of that Act it was not possible to wind up the corporation at all, and therefore difficulties arose as to what should be done. The question was also considered whether this corporation could be converted into a cooperative federation, but we were advised that also was not possible as no provision had been made for that under the Act itself. Now, the work of this corporation has gradually contracted and the real work of distribution of essential commodities has been taken over and is being carried on by the Bilaspur District Co-operative Federation. All that is now to be done is to wind up this commercial corporation altogether. It has certain assets and certain liabilities, and a formal winding up can be done only after the Act of 2005 Bikrami is formally repealed. This corporation is now doing very little work, and the sooner it is wound up the better.

A little while ago Members opposite were discussing the question of cooperation in conection with my colleague's Bill. Here we have a cooperative that has been carrying on its work in a fairly satisfactory manner. So, there being no need for the corporation it has to be formally wound up. That is the only purpose of the Bill.

One of the clauses refers to the appointed date. Naturally if the Bill is passed in this and the other House, a date will be fixed by the Central Government and from that date this corporation will automatically stand dissolved. The assets and liabilities have to be transferred to the Government of India as the Central Government is in administrative control of Himachal Territory, of which Bilaspur is now a district.

Shri Tangamani (Madurai): Can you give us an idea of the present assets of the corporation?

Shri Datar: So far as the original corporation was concerned, its capital was about Rs. 5 lakhs. So far as the assets are concerned, now most of the recoveries have been made. Only about Rs. 5,000 have to be recovered. During the last three or four years it did very little work. There are also some debts. We are anxious to recover the amount of about Rs. 5,000 to Rs. 6,000 but some of the debtors of the corporation are not traceable at all. All the same we are trying our best. There will be some liability, that must be made clear, but I would assure the House that the Himachal Administration will do its best to recover all the assets to the extent possible.

This is the purpose of this simple, non-controversial Bill.

Mr. Deputy Speaker: Motion moved:

> "That the Bill to repeal the Bilaspur Commercial Corporation Act, 2005 Bikmari and to provide for certain matters incidental

[Mr. Deputy-Speaker]

thereto, be taken into consideration.".

The motion was adopted.

Mr. Deputy-Speaker: As there are no amendments to the clauses, I shall put all the clauses together to vote.

The question is:

"That clauses 1 to 4, the Enacting Formula and the Title stand part of the Bill".

The motion was adopted.

Clauses 1 to 4, the Enacting Formula and the Title were added to the Bill.

Shri Datar: I beg to move:

"That the Bill be passed".

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

15.41 hrs.

INDIAN AIRCRAFT (AMENDMENT) BILL

The Miniser of Transport and Communications (Dr. P. Subbarayan): I beg to move:

"That the Bill further to amend the Indian Aircraft Act, 1934, as passed by Rajya Sabha, be taken into consideration.".

This is a very simple measure which has been brought forward really because we are having a lot of difficulties over goods that are being sent by air. Some of them are not properly declared, and the fine which is to be imposed under the present legislation is only Rs. 1000 and imprisonment for two months. We find that that is not enough, especially when we are buying very costly aircraft like Viscounts and others. Besides, the courts seem to be rather lenien in delivering judgment on this. I can give instances where the courts have dealt with these cases in a lenient manner.

So, by amending section 10, we are providing for an amount of fine not fixed really but any amount, and an imprisonment upto two years. Taking advantage of this amendment, we are also accepting what has been suggested by the Law Commission, namely that the word 'Indian' need not find a place in our Acts now, because we are an independent Republic. It is not necessary to put forward 'Indian' in any legislation which he passed by this House and the other House.

Besides, we want to follow the rule that we have been following in most of the Bills, namely that all rules not merely under one section, as is provided for in the present Act, but all rules made under this Act should be placed before both Houss of Parliament, and any amendment that they wish to make in these rules could be made by them.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the Indian Aircraft Act, 1934, as passed by Rajya Sabha, be taken into consideration.".

Shri Sadan Gupta (Calcutta-East): I welcome this Bill. I do not think anyone in the House will have any different opinion from mine in welcoming this Bill.

It is always dangerous to put dangerous goods on any means of transport, and particularly so, in aircraft. It is unfortunate that persons should mislabel goods or that air concerns should give wrong information to conceal their transport of dangerous goods or the booking of dangerous goods by aircraft. It is obvious with what motives these things are done by the persons who book them, and the air

concerns who accept them. If they are private concerns, they, of course, do it for mutual profit. The air concerns do it obiviously because they get higher freight for it, and the persons who book them do so because they are interested in transporting those dangerous goods for whatever reason it may be.

That is why, particularly with the background of the *Kashmir Princess* in our mind, we can have no hesitation, but on the other hand, we should most warmly welcome this Bill as I do.

Now, my doubts are not regarding this Bill, but my doubt is whether the provisions which are enacted will be enforced with that amount of strictness with which they need to be enforced. This apprehension is not an empty apprehension. This apprehension springs from the fact that it seems that our Civil Aviation Department has a soft corner for the private air concerns.

I am referring in this connection to the issue of non-scheduled air permits to the private air concerns. These permits are issued to the air concerns in breach of law. Under the Air Corporations Act, no private concern is entitled to run a scheduled air transport service, which mans a service conveying goods or passengers, which works to a fixed time-table. In the name of giving them non-scheduled air permits, there are examples of our companies which are allowed to operate services, both goods and passengers, which operate with clockwork precision, so many times a day; they depart at such and such an hour in the morning, come back, and again depart at such an such an hour in the afternoon and come back again. This is happening in spite of the law which we have enacted, and in spite of the provision in section 20 of the law, namely the Air Corporations Act, that all licences issued so far are invalid. This is happening after we have given them ample compensation for taking over their undertaking, after we had acquired the aircraft with which they were operating their undertakings; and after that, they have got aircraft from other sources, perhaps from Disposals and so on, and they are operating these scheduled air transport services, scheduled in the sense that they are operating the services to fixed time-tables, on the basis of non-scheduled permits. If this can happen I do not know whether they will not get off with the conveyance of dangerous goods.

I am bringing this to the notice of the hon. Minister for redress of this very glaring illegality which being committed, I do not know by whom, but it is being committed by the Civil Aviation Department. I have myself travelled in one of those services to a particular place, a service which operates between Calcutta and a place in North Bengal. There are two other services of that kind also. I do not know how many others there are in India. I am referring here to passenger services. Similarly, there are freighter services. This kind of thing should not be allowed to happen.

The scheduled services are the exclusive monopoly of the Indian Airlines Corporation. I think that is what the law provides, and the law must be honoured. Representations have been made by the Indian Airlines Corporation Workers' Union, to prevent this kind of thing happening, but no reply has been given to those representations. This is being done also under a rule supposed to have been made under the Indian Aircraft Act, namely rule 134 which specifically says that no private air company can operate services on a fixed time-table. Rule 134 itself is a glaring violation of the Air Corporations Act. If this attitude persists, I think we shall not go very far by providing drastic penalties, and in spite of ourselves, the practice of air companies and people who book dangerous goods will continue, and we shall continue to overlook those things. Now, on 31st December, these non-scheduled services permits are scheduled to be renewed. It will then be opportune for the

[Shri Sadhan Gupta]

Minister to look into it and see whether the law is not being violated. With this caution that the air compaines will be up to anything for their profit and they need very close watching and we should stick to the strict letter of the law which we have passed, I recommend this Bill to the acceptance of the House. I am very sorry to have to remind the House that we need to observe the law, but on account of the way the department is proceeding in relation to private air companies, I am compelled to bring this to the notice of the House and to advance a plea for the strict observance of laws made by this House.

Shrimati Ila Palchoudhuri (Nabadwip): I also welcome this Bill. As the previous speaker has said, I do not think anybody will have two opinions about that, that the punishment has to be made heavier for the carriage of dangerous goods. But one thing remains to be clarified: how are the people who book these dangerous goods to be caught? After all, there have been some cases where investigations have been made and the people who were prosecuted were acquitted because there was not enough proof. In an aircraft accident when there is some kind of an explosion due to some "dnagerous goods" being on board, the explosion is so complete that there is very little trace of any evidence. So the only way that one could have any kind of hold on people who book these dangerous goods is in the signature of the consignor or his agent. This should be sufficient to prosecute him. Otherwise, what other hold have Government got? It is very difficult to find any proof because even the aircraft is lost and you will not find any trace of it. So I hope that this will be taken into consideration.

My hon. friend opposite has just now said that a very strict watch should be kept on private air companies. I quite agree with him, but at the same time, I do not think that you should debar them from operating non-scheduled routes, becaus they can develop non-scheduled routes where the scheduled services have not been able to do so. For the Mizo Hills food dropping operations, for instance, where the government 'planes could make only three or four sorties, the private aircraft made eight to ten sorties and saved the lives of those people. So where they do assist, they should be given opportunities; but if they go against the rules, of course, they should be hauled up.

There are one or two general things I would like to bring to the notice of the Minister because this is about air travel. An air service to the Andamans is a vital necessity. I hope that the Minister will take this into consideration during the Third Plan period or even, earlier, because to wait for another year is to wait too long. Also the Cachar airfield and other Assam airfields need a lot of improvement. Much of the communication in Assam has to be done by air, and the airfields of Cachar and Assam must be improved to facilitate communications. A great deal of what has happened in Assam recently can be laid to the door of bad communications. Air communication is the only communication that is possible in Assam in very many cases.

Coming to the Bill, this is the first amending Bill after 1934. Much has happened in these 26 years. If we are taking the word 'Indian' out from the Act, then why do we not take the word 'Indian' from all the Rules, the Indian Aircraft Act, the Indian Aircarraige Act and so on?

Dr. P. Subbarayan: Of course, that will be done when this measure has been passed, because that is the recommendation of the Law Commission.

Shrimati Ila Palchoudhuri: I am glad to know that. Also why should there not be a comprehensive aircraft code. We need it. Another thing is,

that the rules which have been recently gazetted have not been made in consultation with flying clubs which are vitally interested in them. Look at the number of rules. If even the flying clubs are not consulted, how will they give their opinion about them? The rules are very lengthy. A six-page Act has 180 pages of rules. The Air Transport Act has 20 pages of rules.

So I think these rules must be made in consultation with the flying clubs or air clubs because they are vitally interested in them.

We have nowadays many points of contact in the world by air travel. We have the Bermuda Pact. We have bilateral and muti-lateral agreements and we have also the pooling of passenger traffic. We do not yet know whether any assessment has been made as to how India profits by the pooling of the profit on passenger traffic, because a lot of tourist traffic is by air. Tourists have been coming to India over a very large spectrum of time, unlike tourist resorts or places in Europe where only during a small part of the year the tourists go. In India, tourists come practically all the year round. How much have we profited by it?

15·56 hrs.

[SHRI MULCHAND DUBE *in the Chair*]

Dr. P. Subbarayan: I would like to remind the hon. Member that we are not concerned with tourist traffic which is well outside the purview of the measure I have proposed.

Shrimati Ila Palchoudhuri: Under the rules, the standard of training provided is more stringent than the accepted international standard. A period of 700 hours is considered a sufficient length of time for senior service as commercial pilot, but Government have extended that and want our boys to do training for a longer period which would impose a burden of Rs. 20,000—Rs. 25,000 on them.

Dr. P. Subbarayan: We are also concerned with the safety of our passengers which is far more important.

Shrimati Ila Palchoudhuri: I agree we must have safety at all costs. At the same time, this is an internationally accepted standard and our boys have really done very well, having been trained by our clubs.

Dr. P. Subbarayan: I am sure the hon. lady Member is proud of the fact that we have the least incidence of accidents in the whole world in air services.

Shrimati Ila Palchoudhuri: I agree. It is a feather in our cap. Also our boys trained in our air clubs have for three successive years come out tops in the air acrobatic exhibitions in England, when the Defence Ministry allowed them to enter for this. So I think our tralning was not at fault and to impose a double burden seems hardly feasible; but if it is considered absolutely necessary in the interest of safety, of course the Minister must go ahead with it.

I would think that the first consideration in this Bill being safety concerning the booking of packages, Governments must take unto themselves to search all packages as they do in the Customs. That is the only way by which one can find what has been booked. You cannot find out what has been booked once the explosion takes place; that means all safety measures go to nought.

16 hrs.

I would also like to say that any enterprise that goes in for aviation should be given encouragement.

The certificates to be given have to be given now by the D.G.C.A. Why should the DGCA issue the certificates to the gliders, for instance? In the western countries, in sports like the Olympics, clubs and training centres are competent to give these certificates. If for everything the DGCA were to give the certificates, I do not

[Shrimati Ila Palchoudhuri]

think it would do good to the air-mindedness of our young men whom we want to encourage. I would like the hon. Minister to look into this question and see whether air clubs could not be consulted intimately and whether they could not be given the power to give these certificates. They are turning out pilots—our boys—who are very good at flying. I am sure they are full of adventure and endeavour; and the air-mindedness of our boys will gradually improve which can bring great credit to India.

I warmly welcome this Bill.

Shrimati Renu Chakravarty (Basirhat): Mr. Chairman, Sir, first I would like to say that I am happy that this amending Bill has been brought. But I would have liked this to have been a much more conprehensive one. For some time we have agitated on the floor of this House—and the country has also seen—that there have been flagrant violations of aircraft rules and carrying on of contraband in aircraft and also the contravening of many of the clauses in the Aircraft Rules including jumping of air routes, flying over prohibited areas and such other things.

This particular Bill only seeks to make punishment a little higher for the carriage of certain contraband goods. I would like to know whether I am right in coming to the conclusion that there is some contradiction in what is proposed in section 10(1) and what is proposed in section 10(2). In 10(1) what is sought to be done is to increase the imprisonment to two years. In the Act it was only 3 months. At the same time, the question of fine is left indefinite, whilst in the Aircraft Act, I think, it was Rs. 1,000. Now, it may be Rs. 1,000 or Rs. 5; it is left to the discretion. Formerly also it was left to discretion but the maximum was there. Except extension of the period of imprisonment I do not see much of difference.

When I come to sub-section (2) I find that what is sought to be done in (1) is being taken away by (2). The Central Government may direct that for the breach of the various rules, the Government can punish for a much smaller period which may extend to 3 months or which may extend to a fine of Rs. 1,000 or both. Except the enhancement of the period there is not much of a change.

In recent times there have been some very serious violations, especially by non-scheduled operators, which have been brought to light. The *Statesman*, on the 10th of July published that there was a crash in Bahrein. Then, we heard that that aircraft was found in Afghanistan. The crash was not published in our papers. We do not know for what reason. We were told that this aircraft had on board Ganja and opium. I am quoting this from newspapers. Nothing much has appeared about it. We were told that it was due to overloading. I believe the DGCA was informed and yet nothing was done. Here is a case of non-scheduled operations taking place in foreign countries. Nepal also has been an area in which the Jamairs and the Kalingas have been operating for some time and there have been various objections and complaints coming to us from time to time that rather undesirable activities are continued in these flights.

For instance, we know that in NEFA the Jamairs and the Kalingas were operating for a while. Then we also heard that there was trouble with Jamairs as a result of which they had to close down.

We saw in the papers—and we know it to be a fact—one aircraft—I do not know whether it was from Jamair or Darbhanga—both are more or less the same—jumped the NEFA area without permission. We are also told that the escape of Phizo was also

done through the operation of these private operators. It is of course a conjecture.

Some time ago there was also the case of one Capt. Richards who was a Director of Indamer Co. was seen there over at Beirut during the disturbances of 1958 with Kalinga aircraft.

I do not know whether such things will be covered by 10(1). What I would like to know is this. In the United States where, of course, nationalisation is taboo and where they have more or less private operators operating the entire network of air transport—of which many of my colleagues are thinking very highly—we are told, these private carriers have to secure letters of registration. Of course, such letters of registration will also be dependent upon the vigilance and the integrity of the DGCA. I am in favour of the DGCA because I do not believe in Flying Clubs being given the right of issuing certificates, of protecting the lives of people who are being carried in the aircraft. I do not know much about gliding. But as far as aircraft are concerned, it must be a technical organisation like the DGCA which can be entrusted with the work of giving certificates.

Shrimati Ila Palchoudhuri: Flying Clubs are also technical institutions and have competant trainers.

Shrimati Renu Chakravartty: My hon. friend does not know that all aircraft even those of the Clubs have to get the certificate from the DGCA. The Flying Club are not supreme; they are subject to the rules laid down in the Aircraft Rules and are inspected from time to time by the DGCA. Therefore, Flying Clubs in no case should take the place of DGCA. The letter of registration is a further check upon the activities and to a certain extent lessens the infringement of the aircraft rules. We are informed that in U.S.A. all common carriers by air must secure a letter of registration from the Civil Aeronautic Boards under its economic regulations. The regulations make available to the public the advantages which properly operated services of this character offers, imposes a much greater degree of responsibility on the operators and confines them within their own sphere with respect to their competitive relationship with the certificated carriers. The Board can withdraw these letters of registration at any time in the public interest. The non-scheduled operators are subject to other regulations also. There are of course differences between the bigger and the smaller operators. But that could not apply in our case as our Government is taking up the policy of nationalisation. I should imagine that we should get all the big operations within the sphere of the nationalised air transport. But unfortunately even now we are allowing the private operators to corrode our nationalised operations in regard to freight. However, we must see that they adhere to these regulations and fix rates which are not discriminatory and unreasonable. We want the air transport to become cheaper. I come from Eastern India areas where it is an absolute necessity. Especially, after Partition, it is difficult for us to go to Malda or other areas, just 200 miles from Calcutta. Take, for instance, Assam, or Tripura; it is the same thing in respect of these places also. Our nationalised air transport is not able to give cheap transport. On the other hand, the non-scheduled transports, the Dinajpur service or the Cooch-Bihar service, and though they are very bad and they carry passengers and goods together and though we do not know how far we are safe, it is cheap. My point is that when the rates are fixed, they should be cheap but the cheapness must come along with safety. Our nationalised transport must make it cheap. I do not want this power of fixation of rates to become a handle to raise the rates to the level of the IAC; I want the IAC to reduce its rates and I think it can be done if the IAC carries the freight which now goes to the non-scheduled operators.

[Shrimati Renu Chakravartty]

I believe in the USA they give letters of temporary authority to non-certificated carriers too and they can engage in some operations. But they are not permitted to continue for long. It is dependent on the trustworthiness and the observance of safety rules.

I feel that excepting this question of imprisonment, nothing else has actually been done. Only section 10 has been amended substantially. It is rather a comprehensive section, covering safety not only in the physical sense but also in the political sense. But it is not adequate. Certain other things are necessary so that the routes may be regulated. We do not sometimes know who the passengers carried by non-scheduled operators are. We do not know who were the passengers involved in the July 10th accident in Bahrein or Afghanistan. While welcoming this Bill, I feel that a more comprehensive amendment should come tightening the provisions of the Aircraft Act.

Shri Achar (Mangalore): While welcoming this Bill, I submit for the consideration of the hon. Minister one point: making the owner of the article also liable for punishment. The wording of the clause leads to the conclusion that the owner has to prove that he is innocent. It is the basic principle of criminal jurisprudence that the prosecuting authority should prove the guilt of the accused. But the burden is shifted here to the owner and he is to prove that he did not know that the crime was committed. The actual wording here is:

> "....the owner also (unless the owner proves that the offence was committed without his knowledge, consent or connivance)...."

I submit that it is not the correct approach to the criminal law of jurisprudence. The basic principle is that a person is supposed to be innocent; you cannot presume anything against a person until something is proved against him. Because the servant has done something it cannot be presumed that the master must know about it or it has been done with the master's connivance. That is not the correct approach.

Sir, I do not want to say anything more. As I said, I welcome this Bill, but I only want to make this submission that the burden should not be on the person concerned, it is for the persons who prosecute to prove that the man is guilty.

Shri Sinhasan Singh (Gorakhpur): Mr. Chairman, Sir, while welcoming this Bill I have to make one or two observations. After many long years after 1934 when this Act was brought into force, I think the Government should have brought a more comprehensive Bill before this House for us to see how far our air wing has gone up and how far it has been able to attract the public.

In this Bill, Sir, we find an amendment about the enhancement of the sentence from three months to two years. It is a very happy thing. But still the position remains as before. As Shrimati Ila Palchoudhuri pointed out, how are we to pick up the man, how are we to know who has booked the goods that exploded? If an explosion takes place, there must be some evidence recorded to know the man who booked those particular goods. Whom are you going to prosecute? Therefore, whether the sentence remains as three months or it is raised to two years or even five years, the difficulty remains. You may appoint a Committee to enquire into an explosion and it may submit a report which will be shelved somewhere. But no action can be taken because the report will not say as to who booked the goods.

There must be some agency to see what has been booked and loaded in the aircraft. You have stated here that in a passenger plane a passenger can take 40 lbs. He may take a loaded pistol in his suit case. Unless there is some agency to see what actually is loaded, it will be difficult to find out which box actually exploded and which box has not exploded. The

other thing is, when in 1934 this Act was brought into force the flying activities in this country was only at the rudimentary stages. Now we have gone ahead. In a book that I was seading there is something said about Switzerland's foreign policy. It is said that they have 'armed neutrality'. In other words, they are neutral but they are armed so that they can defend themselves when the time comes. Ours is a neutral country. But we must have a good air strength. No country yin this world can survive unles it has a good air strength. We must have a second line of defence. We must have people trained in the matter of aircraft so that when an occasion arises we may be able to muster up our strength in no time. Very often there are floods in the country. Sometimes we have to air-drop food materials.

I agree with Shrimati Ila Palchoudhuri that flying clubs should be encouraged. We had many aerodromes throughout the country during the last war. All those aerodromes are lying idle. Flying clubs are there only in big cities. What I suggest is that flying clubs should be attached to the universities. If the civil aviation department is not able to have more flying clubs, at least they should encourage the setting up of flying clubs.

There was an air service to Gorakhpur. That has been suspended now. I have been trying to revive it. The Government feels that it cannot be reopened because it runs at a loss. It was running only on two days in a week. No industry or commerce can run for two days in a week and have customers. You must have a daily service. You can have a shuttle service which can be given to a flying club.

You must do something to make the people air minded. It is very difficult to get an A class or B class licence. A poor man cannot afford to take training. Only the rich people benefit from it. Only the middle class people go in for it but they cannot afford to take the training because they are asked to pay Rs. 10 per hour. Shrimati Ila Palchoudhuri—I have not so much experience as she has—said that our pilots are in no way worse than other pilots in the world. Our boys are quite well up to the mark. If you can create an army of fliers I think that will add to the strength of our country. As in Switzerland they have 'armed neutrality' we will have 'air-flying neutrality'.

The hon. Member from Calcutta expressed some doubt about sub-clause (2) of section 10. In the original clause it was "any rule" and now in sub-clause (2) it is said "any other rule". So there is no contradiction at all.

Lastly, I find that very often our planes go empty. I once flew from Lucknow to Gorakhpur. The plane carried only about ten passengers when the capacity was 34 or 40. The reason is that only few people can afford to travel by planes because the rates are very high. Therefore, you have to reduce the rates in order to attract more people. I would suggest that you bring it to the level of the charges made by the railways for air-condition travel.

Dr. P. Subbarayan: Air-condition charges are more than some of the air fares.

Shri Sinhasan Singh: I think the air fares are more. My only request is that the fares should be reduced so that even ordinary middle class people can avail of the air services. All that you have provided now benefit the richer class and the middle class people are not able to get any benefit Reduce the fares and make the people air minded.

With these words, Sir, I would say that we expect that a more comprehensive Bill will come when we will be able to discuss the flying activities in the country.

Dr. P. Subbarayan: Mr. Chairman, Sir, I am really thankful to the hon. Members who welcomed the measure, but I am afraid they welcomed it only in a left-handed way because there was quite a lot of criticism on the way

[Dr. P. Subbarayan.]

the department is working at the present time. I can assure hon. Members that nationalisation is the fixed policy of the Government and we are not going to go back on it. But the trouble has been, we have not got the number of aircraft we would require for the services we run. By way of improvement we have provided the Viscounts. When the Fokker Frienship comes it will be the same because that also is a pressurised aircraft and these are liked.

Then, in spite of the higher fare that people have complained of, I find that the services to Bombay and Calcutta are fully booked up for weeks together, and I get requests from various people wanting a passage to either Calcutta or Bombay. But we are trying to get four more Viscounts, if we can, by exchange, because there is no question of getting any foreign exchange for the purchase of new aircraft. We shall try and run better services if possible. But I cannot accede to the request for lower fares because this is the first year when we are going to end up with a profit of about Rs. 8 lakhs after incurring losses of about Rs. 55 lakhs year. Therefore, you could at least congratulate the Government on having seen a clearer sky then they had when they nationalised the business.

Shrimati Renu Chakravartty: I believe you are increasing the fares from the 15th November. Then you will be able to show a little more surplus.

Dr. P. Subbarayan: We of course look into our accounts before we decide what we should do and when we find that we cannot make both ends meet we have got to increase the fares, because if you want a national concern you must also try to see that the national concern works at a profit and does not mean more money to the taxpayer when hon. friends like Shri Sinhasan Singh complain that really people with more money travel rather than those lower middle class people for whom we want the comfort. Therefore, you cannot have the cake and eat it at the same time. You must realise that it is up to the Government to see that we make profits in course of time which may make it possible for fares to be reduced and to allow the lower middle class people to travel in our aircraft which I hope will become the case.....

Shrimati Renu Chakravartty: What about the Janata services for the people who have to travel in the eastern zone? It is not a question of choice. They have to go, to the steel factory and all that.

Dr. P. Subbarayan: I quite realise the hon. Member's point, but, at the same time, I have got to take care also as to the loss that we may sustain by the service which the hon. Member demands. No doubt we have in mind that such difficult portions of the country, where there is no other way of getting in than by aircraft, should be catered for, and we shall try and see what we can do to satisfy the needs of the people of that locality. I can understand the difficulties, but, at the same time, we will have to work out the cost which we incur. Of course slight losses may be incurred in cases like this where, as the English proverb goes, necessity knows no law, but, at the same time, we have to take into consideration the effects of certain services and what we may lose. Of course, if the loss is not very much, we will think of such a service.

The hon. Member on this side wanted to say something, I hope, and I was going to refer to the point she made. She referred to the expensiveness of the person who is licensed at the other end. I am glad to say that, as a country, we lead the world in the matter of less accidents than anywhere. I think we should be very proud of that. That is because we have taken care to see that pilots who come either to the Air India International or to the Indian Airlines Corporation are capable enough and in whose hands the travellers' lives are quite safe. Do you want that to be lowered and ourselves get into trouble? I do not think that is the intention of hon. Members.

As a matter of fact, we are trying to see whether the Aeroclub of India may not be brought into this licensing business. The hon. lady Member said all the flying clubs might be given these facilities, but I am afraid I cannot accede to that request. Most of the rules that we have made, of which the hon. lady Member, Shrimati Ila Palchoudhuri complained, were sent to the flying clubs of this country and very few of them made any remarks on them. Therefore, it is not a case of not consulting the flying clubs when the need arises.

Shri Sinhasan Singh complained that a number of aerodromes were lying idle. I agree, but will the Parliament vote the money for getting more aircraft?

Shri Sinhasan Singh: Why not?

Dr. P. Subbarayan: He is asking "Why not?" Please ask my colleague, the Minister of Revenue and Civil Expenditure. We are in a very strict position and difficulty as far as foreign exchange is concerned. There are other necessities for the national uplift more than aircraft and therefore they have got to be given the first priority, before we come to think of getting foreign exchange for buying more aircraft. That is the reason, and it is not that we are not aware of the difficulties that occur. But the prime necessities of the nation must first be considered before anything like this could be thought of.

As I said, this is a very simple measure. There was mention about the Andamans. The hon. Member concerned was very anxious about it. We shall see what could be done about it though I will not give any firm promise on the question of an air service to the Andamans although I believe we are going to have a service shortly.

Shri Sinhasan Singh: Gorakhpur.

Dr. P. Subbarayan: If he talks about Gorakhpur, every district headquarter in this country will want an air service and that is the whole difficulty. We cannot cover all the districts in this vast country. My hon. colleague, Dr. B. Gopala Reddi just mentioned my own district. In fact, I firmly refused that this cannot be done for them. Therefore, you can understand what I think of other demands like that. Of course, it is not because I had refused it in my own district, I would refuse it to Gorakhpur also. At the same time, we have got to consider the priorities.

Shri Sinhasan Singh: Previously, there was a service to Gorakhpur. But it was stopped later.

Dr. P. Subbarayan: I know that Gorakhpur had a service, but it worked at a heavy loss which of course would have cut down our profit of Rs. 8 lakhs this year to a loss of perhaps about Rs. 20 lakhs! Every hour of flying costs so much money. If you carry only a few passengers to a particular place, the hours of flying are not paid for by the fare paid by the particular passenger concerned. That is the trouble.

Shri Sinhasan Singh: There quarters and other buildings were built after the service was stopped. There is a service station now. All these came in after the service was stopped. All the buildings are lying idle now. Should they not be put to use?

Dr. P. Subbarayan: There are hundreds of aerodromes which are lying idle. We have buildings also. That is true. The buildings may lie there provided we do not incur loss. That is the simple arithmetic about it.

Shri Kalika Singh (Azamgarh): Gorakhpur is going to have a fertiliser factory and then the air-service can be resumed.

Dr. P. Subbarayan: I am not concerned with the fertiliser factory. But I am sure hon. Members will understand the difficulty that we face. At the same time, I wish to assure hon. Members—especially Shri Sadhan Gupta—that if there is any fault it may be laid on my broad shoulders

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and not on the services, because if they do anything wrong it is up to me to do what I consider is right. As far as hon. Members of Parliament are concerned, I can say without fear of contradiction that I alone am responsible for any fault that they can find in this matter.

With these words, I am really thankful to hon. Members for welcoming this Bill, and I hope it will be passed without much trouble.

Mr. Chairman: The question is:

"That the Bill further to amend the Indian Aircraft Act, 1934, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Chairman There are no amendments. I shall put all the clauses together to the vote. The question is:—

"That Clauses 2 to 6 stand part of the Bill."

The motion was adopted.

Clauses 2 to 6 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Dr. P. Subbarayan: I beg to move:

"That the Bill be passed".

Mr. Chairman: The question is:

"That the Bill be passed".

The motion was adopted.

Mr. Chairman: The hon. Dr. B. Gopala Reddi.

Shri Yadav Narayan Jadhav (Malegaon): This is the first day of the session and this is the fag end of the day. Instead of taking up a new Bill now, it is better that we adjourn.

Mr. Chairman: We have got about 20 minutes more. Let us proceed.

16.39 hrs.

PREFERENCE SHARES (REGULATION OF DIVIDENDS) BILL

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): Sir, on behalf of Shri Morarji Desai I beg to move:

"That the Bill to regulate dividends on preference shares of certain companies, be referred to a Select Committee consisting of Shri Naushir Bharucha, Shri Mulchand Dube, Shri Aurobindo Ghosal, Shri Bimal Comar Ghose, Shri Mool Chand Jain, Shri Prabhat Kar, Shri M. R. Masani, Dr. G. S. Melkote, Shri Radheshyam Ramkumar Morarka, Shri Narendrabhai Nathwani, Shri P. R. Ramakrishnan, Shri Satyendra Narayan Sinha, Shri G. D. Somani, Shri Ramsingh Bhai Varma and Shri Morarji Desai, with instructions to report by the 5th December, 1960."

Sir, I would like at first to explain briefly the purpose underlying the Bill and the scope of its main provisions. Hon. Members are aware that the system of taxation of companies' profits and dividends therefrom was revised through the Finance Acts, 1959 and 1960. Before the introduction of the revised scheme, the income-tax paid by a company on the portion of profits distributed as dividends was treated as having been paid by the company on behalf of the shareholders. Accordingly, the shareholders receiving dividends were entitled to get a credit for the amount of income-tax deemed to have been paid by the company on their behalf. Under the revised scheme the aforesaid legal fiction has been abolished and so the question of crediting the shareholder with the tax deemed to have been paid by the company on his behalf does not now arise.

At the same time, the rate of tax payable by Indian companies and other companies which have made the

prescribed arrangements for the declaration and payment of dividends in India, has been reduced. The excess dividend tax and the wealth-tax on companies have also been abolished. It was expected that with this reduction in the tax liability of companies, and the consequent increase in the fund available for distribution as dividend, the companies would declare higher dividends. The Government's intention in this regard was clarified in the Finance Minister's speech in the Lok Sabha on the 20th April, 1960. However, this expectation has not materialised in the case of preference shareholders. Companies have indicated that, while in principle they agreed that preference shareholders should get a larger dividend, there were practical difficulties in the way of their declaring larger dividends to preference shareholders—difficulties which could be removed only by suitable legislation. In view of all these circumstances, it has become necessary to promote this legislation.

The Bill proposes in effect that in the case of preference shares which are free of income-tax, i.e. the stipulated dividend on which was being paid without any deduction on account of income-tax payable by the company, the stipulated dividend should be increased by 25 per cent. Thus, if a preference share carried a dividend of 10 per cent. free of income-tax, the shareholders should be paid a dividend of 12·5 per cent. Had the old scheme of taxation of dividends continued, a tax-free dividend of 10 per cent. would have resulted in an overall yield of 12·5 per cent. if the company rate of income-tax were 20 per cent. as it is today. Hence, a minimum increase by 25 per cent. has been considered adequate.

In the case of preference dividends subject to tax, i.e., the stipulated dividend on which was being paid after a deduction therefrom on account of income-tax payable by the company, it is proposed that the dividend should be increased by 7 per cent. This figure of 7 per cent. has been arrived at in the following manner. The amount actually paid in the past by a company to the shareholder in the case of a 10 per cent. dividend subject to tax, was only 6·85 per cent. i.e. 10 minus 31·5 per cent. thereof. If this net dividend is to be increased by 25 per cent. as proposed in the case of a tax-free dividend, the shareholder should now be paid 8·56 per cent. This would be ensured if the dividend 'subject to tax' is declared at 10·7 per cent, which after reduction at the rate of 20 per cent—the present rate of companies' income-tax—would result in a net dividend of 8·56 per cent. The figure of 10·7 per cent. represents an increase of 7 per cent. over the figure of 10 per cent.

I have so far referred to the main proposal contained in the Bill. I shall now refer briefly to some ancillary provisions in the Bill. The Bills applicable to the preference dividends paid by Indian companies or other companies which have made arrangements to declare dividends in India, because it is only in respect of such companies that the rates of tax have been reduced under the new scheme of taxation. Further, the Bill is made applicable only to dividends on preference shares issued and subscribed for before the 1st April, 1960. The reason for this is clear. After that date, the companies as well as the shareholders should be aware of the new provisions relating to companies' taxation and companies will be in a position to fix the rate of dividend taking into consideration the new provisions. In respect of dividends declared after 31st March, 1959 and prior to the date of commencement of the proposed law, if the dividends already declared do not represent the minimum increase of 25 per cent. or 7 per cent. as the case may be, over the stipulated dividends, the companies concerned are required to make an additional declaration in order to make up the difference. If dividends are paid out of the profits, only a part of which is taxable as in the case of

[Dr. B. Gopala Reddi]

the profits of a tea company, the increase of 25 per cent. or 7 per cent. as the case may be, is required to be applied only to that part of the dividend as is attributable to the taxable profits of the company.

I have referred only to the broad outline of the main provisions of the Bill. There are some provisions relating to details, the purpose of which will be apparent from the Bill itself and I need not take the time of the House by dilating on them.

Sir, after the introduction of the Bill in the House, several representations have been received from various sections of the public suggesting amendments to the provisions of this Bill. These suggestions relate not only to minor points of drafting but also to substantial points such as the procedure to be followed by companies for increasing the dividends beyond the rates specified in the Bill. In view of the importance of the Bill In view of the importance of the Bill to the companies and to the investors in preference shares, it is desirable to to have the provisions considered in detail and reported upon by the Select Committee of this House.

Sir, I move.

Mr. Chairman: Motion moved:

"That the Bill to regulate dividends on preference shares of certain companies, be referred to a Select Committee consisting of Shri Naushir Bharucha, Shri Mulchand Dube, Shri Aurobindo Ghosal, Shri Bimal Comar Ghose, Shri Mool Chand Jain, Shri Prabhat Kar, Shri M. R. Masani, Dr. G. S. Melkote, Shri Radheshyam Ramkumar Morarka, Shri Narendrabhai Nathwani, Shri P. R. Ramakrishnan, Shri Satyendra Narayan Sinha, Shri G. D. Somani, Shri Ramsingh Bhai Varma and Shri Morarji Desai with instructions to report by the 5th December, 1960."

16.46 hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): The Companies (Amendment) Bill has been put down to be taken up day after tomorrow. 3 hours have been fixed for the Preference Shares (Regulation of Dividends) Bill, because the Members of the Business Advisory Committee wanted that much time to be allotted. The next Bill—the Indian Museum (Amendment) Bill will take 2½ hours. So, we hope that the whole of tomorrow will be covered by these two Bills and therefore, we propose to take up the Companies (Amendment) Bill day after tomorrow. But in case the discussion on the two Bills collapses early tomorrow, I would like to inform the House that the Minister in charge of the Companies (Amendment) Bill might start his opening speech. Whatever time is left will be taken up by the speech of the Minister. I think that is acceptable to the House.

Shri T. B. Vittal Rao: (Khammam): Why don't you put down a No-Day-Yet-Named Motion?

Shri Satya Narayan Sinha: I thought the two Bills will take up the whole of tomorrow and so why take that risk.

Shri Braj Raj Singh (Firozabad): May I seek a clarification from the Minister? He has not announced the business for this week. May we have an indication of the other business we are going to take up this week?

Shri Satya Narayan Sinha: I make the announcement every Friday. Unless Friday comes, I cannot tell the House. That has been the convention in every session. The House starts on Monday and I make a statement on the next week's business on Friday. We do not want to make a departure.

Shri Naushir Bharucha (East Khandesh): Why not announce it tomorrow? There is nothing particular about Friday.

Shri Satya Narayan Sinha: There must be some sanctity. That is a settled procedure everywhere and in the House of Commons also. There is a date on which the statement regarding the next week's business is always made.

Shri Braj Raj Singh: This is a very pertinent question. If the sitting begins on Monday, we do not know what is to come up during the week. On Friday the business for next week is announced, but for the first week we do not know what is to come up.

Mr. Chairman: You have been told the business that is coming up for tomorrow and day after tomorrow.

Shri Satya Narayan Sinha: I do not know what to say to my hon. friend. The Companies Bill is going to take 5 or 6 days.

Shri Braj Raj Singh: Let him say that.

Shri Satya Narayan Sinha: Why should I say what is implied? It is so obvious that I do not like to make a clarification on that.

Mr. Chairman: There are still some more minutes left. Is it the desire of the House that we should continue or should we adjourn now?

Some hon. Members: Let us adjourn now.

Mr. Chairman: All right.

16.51 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, November 15, 1960/Kartika 24, 1882 (Saka).

[*Monday, November* 14, 1960/*Kartika* 23, 1882 (*Saka*)]

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OBITUARY REFERENCES . 84–85

The Speaker made references to the passing away of Shri Kankipati Veerana Padalu who was a sitting member of Lok Sabha, Dr. Pramatha Nath Banerjee who was a member of the former Central Legislative Assembly and Shri Hem Chandra Naskar who was a member of the Constituent Assembly of India.

Thereafter members stood in silence for a short while as a mark of respect.

PAPERS LAID ON THE TABLE 90–95

(1) A copy of White Paper No. IV containing Notes, Memoranda and Letters exchanged between the Governments of India and China between March, 1960 and November, 1960.

(2) A copy of Notification No. S.O. 2505 dated the 15th October, 1960, under sub-section (2) of Section 17 of the Requisitioning and Acquisition of Immovable Property Act, 1952.

(3) A copy of the Registration of Electors Rules, 1960 published in Notification No.S.O. 2750 dated the 11th November, 1960, under sub-section (3) of Section 28 of the Representation of the People Act, 1950.

(4) A copy of each of the following Rules, under sub-section (2) of Section 20A of the Press and Registration of Books Act, 1867.

(i) The Registration of News papers (Central) Amendment Rules, 1960 published in Notification No. G.S.R. 1059 dated the 10th September, 1960.

(ii) The Registration of Newspapers (Central) Amendment Rules, 1960 published in Notification No. G.S.R. 1222 dated the 15th October, 1960.

(5) A copy of the Woollen Yarn (Production and Distribution Control) Order, 1960 published in Notification No. S.O. 2347 dated the 21st September, 1960, under

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Sub-section (6) of Section 3 of the Essential Commodities Act, 1955 . . .

(6) A copy of Notification No. S.O. 2181 dated the 2nd September, 1960 issued under Section 15 of the Industries (Development and Regulation) Act, 1951 .

(7) A copy of each of the following rules under sub-section (3) of Section 458 of the Merchant Shipping Act, 1958:—

(i) The National Shipping Board (Amendment) Rules, 1960 published in Notification No. G.S.R. 1111 dated the 24th September, 1960 . . . . .

(ii) The National Shipping Board (Second Amendment) Rules, 1960 published in Notification No. G.S.R. 1242 dated the 22ndt Ocober, 1960 .

(8) A copy of the Annual Report of the Heavy Engineering Corporation Limited for the year 1959-60, along with the audited accounts and comments of the Comptroller and Auditor General thereon, under sub-section (1) of Section 639 of the Companies Act, 1956 .

(9) A copy of the Review by the Government of the working of the above Company for the year 1959-60. .

(10) A copy of the Comment of the Khadi and Village Industries Commission on the Report of the Khadi Evaluation Committee .

(11) A copy of the Annual Report on the working of the National Productivity Council for the year 1959-60 .

(12) A copy of each of the following papers, under sub-section (2) of the Section 16 of Tariff Commission Act, 1951 :—

(a) Report (1960) of the Tariff Commission on the continuance of protection to the Automobile Sparking Plug Industry . .

(b) Government Resolution No. 21(3) T.R./60 dated the 19th September, 1960

PAPERS LAID ON THE TABLE—*contd.*

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(c) Report (1960) of the Tariff Commission on the continuance of protection to the Piston Assembly (Pistons, Piston Rings and and Gudgeon Pins) Industry. . . .

(d) Government Resolution No. 53(1)/T.R.-60, dated the 7th October, 1960 .

(e) Notification No. 53(1)-T.R./60, dated the 7th October, 1960 . .

(f) Statement explaining the reasons why a copy each of the documents at (c), (d) and (e) above could not be laid on the Table within the period prescribed in the said sub-section . . . .

(13) A copy of the Employee's Provident Funds (Amendment) Scheme, 1960 published in Notification No. G.S.R 1122 dated the 25th September, 1960, under sub-section (2) of Section 7 of the Employees' Provident Funds Act, 1952 . .

(14) A copy of the Industrial Disputes (Central) Amendment Rules, 1960 published in Notification No. G. S. R. 1220 dated the the 15th October, 1960, under sub-section (4) of Section 38 of the Industrial Disputes, Act, 1947 . .

(15) A copy of Notification No. G.S.R. 881 dated the 30th July, 1960 making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954. . . .

(16) A copy of Notification No. G.S.R. 1057 dated the 10th September, 1960 making certain further amendments to the Displaced Persons (Compensation and Rehabilitaion) Rules, 1955, under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954.

PAPERS LAID ON THE TABLE—*contd.*

COLUMNS

(17) A copy of the Annual Report of the Rescue Stations Committee, Dhanbad, for the year 1959-60 .

PRESIDENT'S ASSENT TO BILLS— 95-96

(i) Secretary laid on the Table the following Bills passed by the Houses of Parliament during the last session and assented to by the President since the last report made to the House on the the 5th Septebmer, 1960:—

(1) The Taxation Laws (Amendment) Bill, 1960.

(2) The Appropriation (Railways) No. 4 Bill, 1960.

(3) The Appropriation (No. 3) Bill, 1960.

(4) The Drugs (Amendment) Bill, 1960.

(5) The Appropriation (No. 4) Bill, 1960.

(6) The Central Excises (Conversion to Metric Units) Bill, 1960.

(7) The Delhi Primary Education Bill, 1960.

(8) The Customs Duties and Cesses (Conversion to Metric Units) Bill, 1960.

(ii) Secretary also laid on the Table copies, duly authenticated by the Secretary of Rajya Sabha, of the following Bills passed by the Houses of Parliament during the last session and assented to by the President since the last report made to the House on the 5th September, 1960:—

(1) The Banking Companies (Amendment) Bill, 1960

(2) The Delhi Land Holdings (Ceiling) Bill, 1960.

(3) The Tripura Municipal Law (Repeal) Bill, 1960.

(4) The International Development Association (Status, Immunities and Privileges) Bill, 1960.

(5) The Manipur Land Revenue and Land Reforms, Bill, 1960.

PRESIDENT'S ASSENT TO BILLS—*contd.*

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(6) The Plantations Labour (Amendment) Bill, 1960.

(7) The Banking Companies (Second Amendment) Bill, 1960.

(8) The Standards of Weights and Measures (Amendment) Bill, 1960.

(9) The Indian Trade Unions (Amendment) Bill, 1960 .

(10) The Tripura Land Revenue and Land Reforms Billl 1960.

STATEMENT BY MINISTER. 96—105

The Minister of Irrigation and Power (Hafiz Mohammed Ibrahim) laid on the Table a statement on the Indus Waters Treaty and a copy of the Treaty.

EXTENSION OF TIME FOR PRESENTATION OF REPORT OF COMMITTEE OF PRIVILEGES . . 105-06

Time for presentation of Report of the Committee of Privileges was extended upto 23rd December, 1960.

EXTENSION OF TIME FOR PRESENTATION OF REPORT OF JOINT COMMITTEE 106-07

Time for presentation of Report of the Joint Committee on the Motor Transport Workers Bill was extended upto 5th December, 1960.

BILL INTRODUCED . . 107

The Mahendra Pratab Singh Estates (Repeal) Bill, 1960.

BILLS PASSED 107—99

(1) The Minister of State in the Ministry of Transport and Communications (Shri Raj Baha ur) moved for the consideration of the Motor Vehicles (Second Amendment) Bill. The motion was adopted. After clause-by clause consideration the Bill was passed.

BILLS PASSED—*contd.*

COLUMNS

(2) The Deputy Minister of Labour (Shri Abid Ali) moved for the consideration of the Employee's Provident Funds (Amendment) Bill. The motion was adopted. After clause-by-clause consideration the Bill was passed.

(3) The Minister of State in the Ministry of Home Affairs (Shri Datar) moved for the consideration of the Bilaspur Commercial Corporation (Repeal) Bill. The mo ion was adopted. After clause-by-clause consideration the Bill was passed.

(4) The Minister of Transport and Communications (Dr. P. Subbarayan) moved for the consideration of the Indian Aircraft (Amendment) Bill, as passed by Rajya Sabha. The motion was adopted. After clause-by-clause consideration the Bill was passed.

COLUMNS

MOTION TO REFER THE BILL TO SELECT COMMITTEE UNDER CONSIDERATION . . . 200—03

The Minister of Transport and Communications (Dr. P. Subbarayan) moved that the Preference Shares (Regulation of Dividends) Bill be referred to a Select Committee. The discussion was not concluded.

AGENDA FOR TUESDAY, NOVEMBER 15, 1960/KARTIKA 24, 1882 (*SAKA*)—

Further discussion on the motion to refer the Preference Shares (Regulation of Dividends) Bill to a Select Committee, consideration and passing of the Indian museum (Amendment) Bill as passed by Rajya Sabha and the Companies (Amendment) Bill, as reported by Joint Committee.

GMGIPND—LSII—1244(Ai)LS—23-11-60—1480.